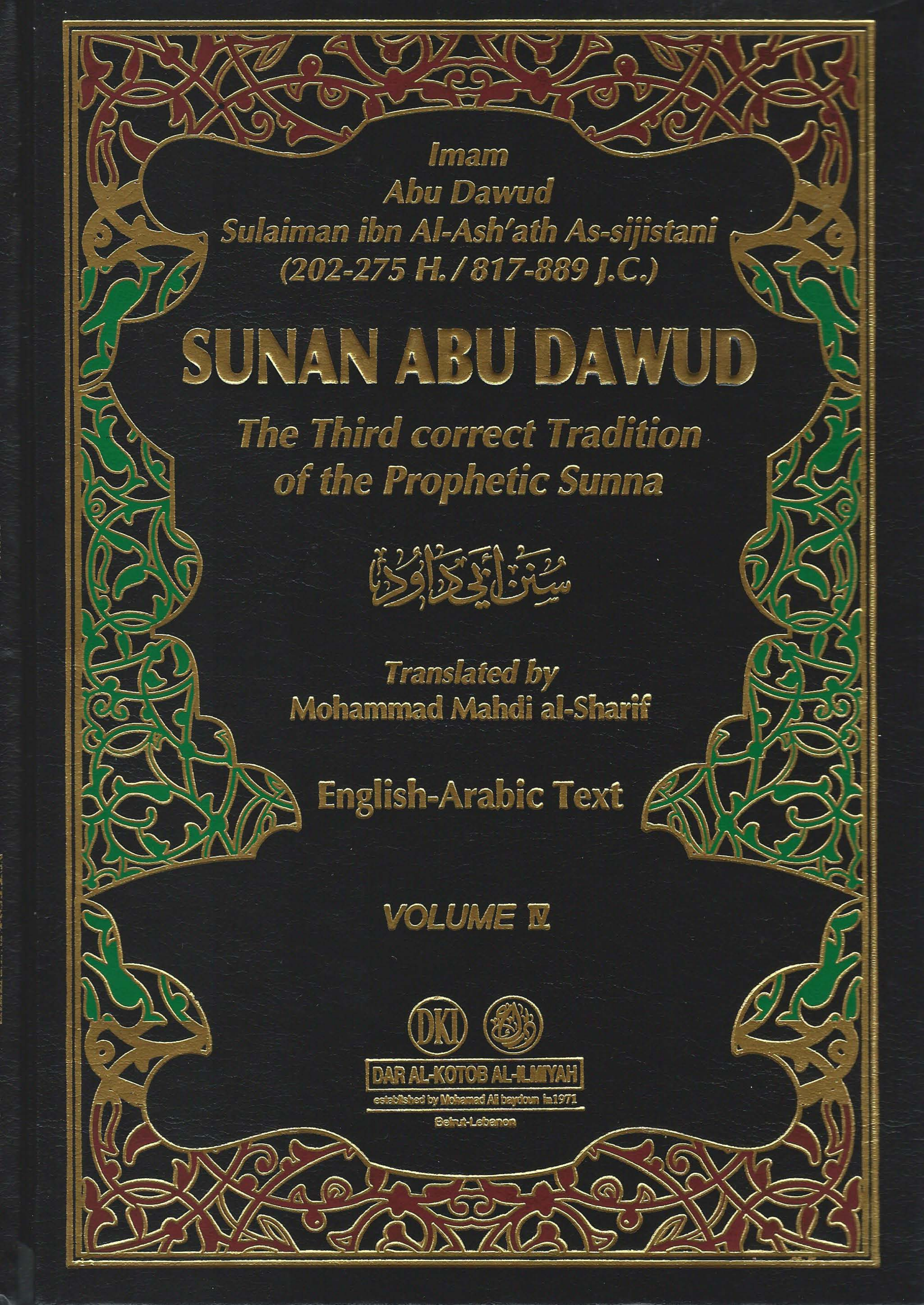
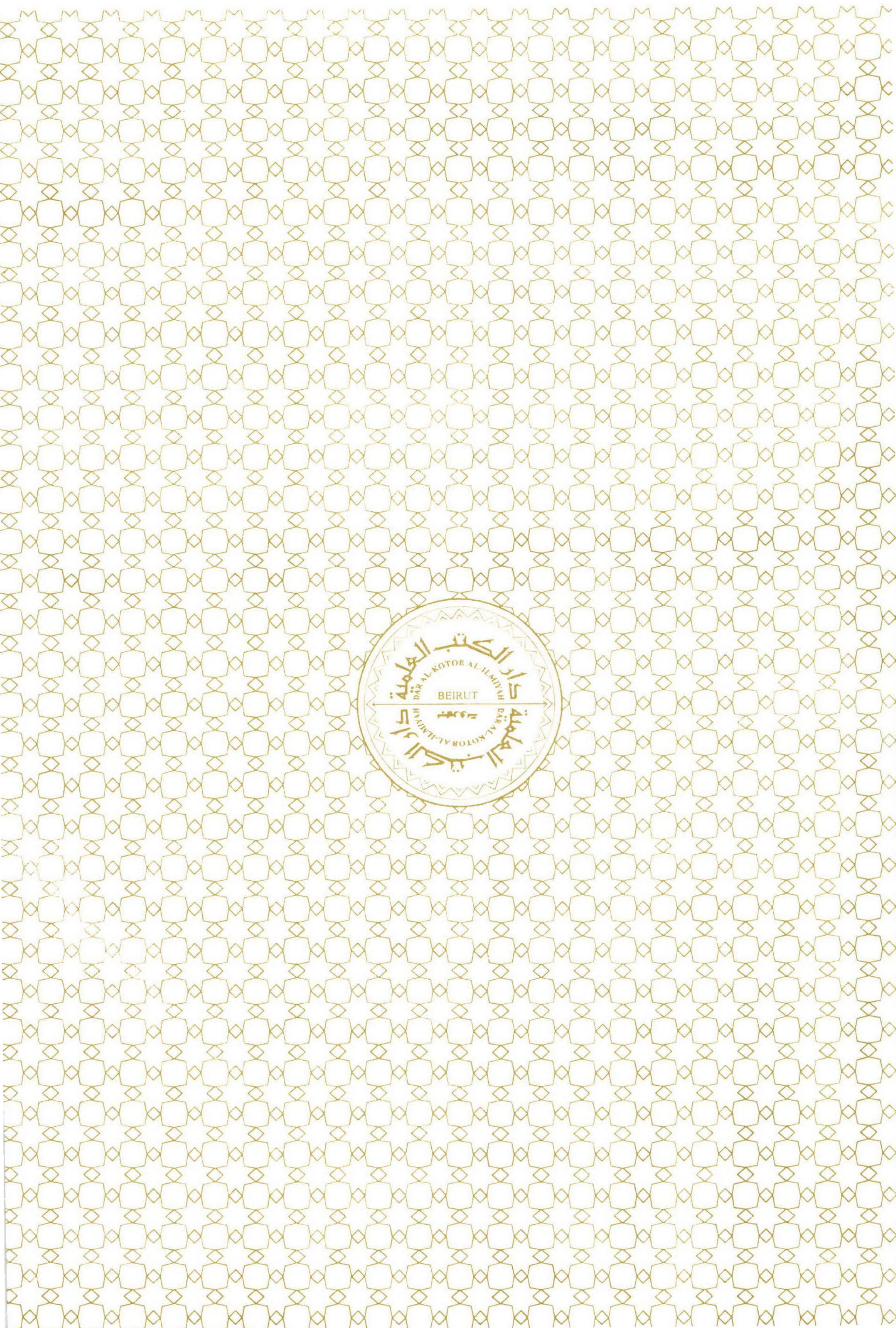

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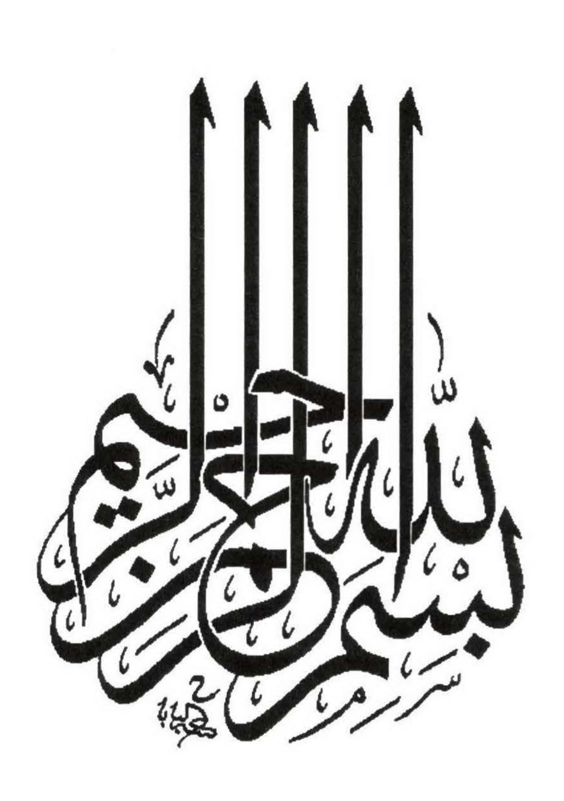
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بسم الله الرحمن الرحيم

(15/20) THE BOOK OF FUNERALS

[1] The Diseases That Act As Expiations For One's Sins

3089- It is narrated on the authority of Amir Ar-Ram, the brother of Al-Khadir that he said: While we were in our town many flags and banners were raised up. I asked: "What is that?" they said: "Those are the flags and banners of the Messenger of Allah "Allah's blessing and peace be upon him"." I came towards him, and he was sitting underneath a tree, and a piece of clothing was spread for him, over which he was sitting, and his companions were gathering around him. I sat with them. The Messenger of Allah "Allah's blessing and peace be upon him" made a mention of the diseases and said: "No doubt, when a faithful believer is affected by a diseases, and then he is cured by Allah from it, it will be expiation for whatever earlier sins he has done, and an admonition for what he will do later; and when a hypocrite is affected by a disease, and then he recovers, he will be like a camel, whose owners tied for some time and then released, and he does not know why his owners have tied it, and why they have released it." A man from amongst those sitting around him said: "O Messenger of Allah! What are diseases? By Allah, I've never become ill." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Stand and leave us, for you are not from us." While we were with him (in such a state) a man came having a piece of clothing over him, and in his hand there was something which he was wrapping. He said: "O Messenger of Allah! When I saw you, I came towards you, and on the way I came upon a cluster of trees, wherein I heard sounds of young birds, which I took hold and put in my clothing. When their mother came and turned over my head, I showed them to her, thereupon it fell down upon them, and I wrapped them all in my clothing; and those are now with me." He said: "Put them down from you." I did accordingly, and their mother insisted on sticking to them. The Messenger of Allah "Allah's blessing and peace be upon him" said to his companions: "Do you wonder at the great mercy the mother have towards her babes?" they answered: "Yes O Messenger of Allah." He said: "By Him, Who has sent me with the truth, Allah is more Merciful towards His servants than this mother bird towards her babes. Return with them and leave them in the very place from where you took them and their mother." He returned with them.

3090- It is narrated on the authority of Ibrahim Ibn Mahdi As-Sulami from his father from his grandfather, and he had companionship with the Messenger of Allah "Allah's blessing and peace be upon him", that he said:

بِسْمِ اللَّهِ الرَّحْمَٰنِ الرَّحِيمِ

[15/ 20] ـ كتاب الجنائز

[ت1/م1، 1] ـ باب الأمراض المكفرة للذنوب

3089 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ: حدَّثنا مُحَمَّدُ بنُ سَلَمَةَ، عن مُحَمَّدِ بنِ إِسْحَاقَ، قال: حَدَّثَنِي رَجُلٌ مِنْ أَهْلِ الشَّامِ يُقَالُ لَهُ أَبُو مَنْظُورٍ، عن عَمِّهِ، قال: حَدَّثَنِي عَمِّي، عن عَامِرٍ الرَّامِ أَخِي الْخُضْرِ ـ قال أَبُو دَاوُدَ: قال النُّفَيْلِيُّ هُوَ الْخُضْرُ، وَلَكِنْ كَذَا قَالَ ـ قَالَ: إِنِّي لَبِبِلَادِنَا إِذْ رُفِعَتْ لَنَا رَايَاتٌ وَأَلْوِيَةٌ، فَقُلْتُ: مَا هَذَا؟ قَالُوا: هَذَا لِوَاءُ رَسُولِ اللَّهِ ﷺ فَأَتَيْتُهُ وَهُوَ جَالِسٌ تَحْتَ شَجَرَةٍ قَدْ بُسِطَ لَهُ كِسَاءٌ وَهُوَ جَالِسٌ عَلَيْهِ وَقَدِ اجْتَمَعَ إِلَيْهِ أَصْحَابُهُ فَجَلَسْتُ إِلَيْهِمْ، فَذَكَرَ رَسُولُ اللَّهِ ﷺ الأَسْقَامَ فقال: «**إِنَّ الْمُؤْمِنَ إِذَا أَصَابَهُ السَّقَمُ ثُمَّ أَعْفَاهُ اللَّه مِنْهُ كَانَ كَفَّارَةً لِمَا مَضَى مِنْ ذُنُوبِهِ وَمَوْعِظَةً لَهُ فِيمَا يَسْتَقْبِلُ، وَإِنَّ الْمُنَافِقَ إِذَا مَرِضَ ثُمَّ أُعْفِيَ كَانَ كَالْبَعِيرِ عَقَلَهُ أَهْلُهُ ثُمَّ أَرْسَلُوهُ فَلَمْ يَدْرِ لِمَ عَقَلُوهُ وَلَمْ يَدْرِ لِمَ أَرْسَلُوهُ**».

فَقَالَ رَجُلٌ مِمَّنْ حَوْلَهُ: يَا رَسُولَ اللَّهِ وَمَا الأَسْقَامُ؟ واللَّهِ مَا مَرِضْتُ قَطُّ، فَقَالَ النَّبِيُّ ﷺ: «**قُمْ عَنَّا فَلَسْتَ مِنَّا**».

فَبَيْنَا نَحْنُ عِنْدَهُ إِذْ أَقْبَلَ رَجُلٌ عَلَيْهِ كِسَاءٌ وَفِي يَدِهِ شَيْءٌ قَدِ الْتَفَّ عَلَيْهِ فَقَالَ: يَا رَسُولَ اللَّهِ إِنِّي لَمَّا رَأَيْتُكَ أَقْبَلْتُ إِلَيْكَ فَمَرَرْتُ بِغَيْضَةِ شَجَرٍ فَسَمِعْتُ فِيهَا أَصْوَاتَ فِرَاخِ طَائِرٍ فَأَخَذْتُهُنَّ فَوَضَعْتُهُنَّ فِي كِسَائِي، فَجَاءَتْ أُمُّهُنَّ فَاسْتَدَارَتْ عَلَى رَأْسِي فَكَشَفْتُ لَهَا عَنْهُنَّ فَوَقَعَتْ عَلَيْهِنَّ مَعَهُنَّ فَلَفَفْتُهُنَّ بِكِسَائِي فَهُنَّ أُولَاءِ مَعِي. قَالَ: «**ضَعْهُنَّ عَنْكَ**»، فَوَضَعْتُهُنَّ، وَأَبَتْ أُمُّهُنَّ إِلاَّ لُزُومَهُنَّ، فَقَالَ رَسُولُ اللَّهِ ﷺ لأَصْحَابِهِ: «**أَتَعْجَبُونَ لرحم أُمِّ الأَفْرَاخِ فِرَاخَهَا؟**» قَالُوا: نَعَمْ يَا رَسُولَ اللَّهِ، قَالَ: «**فَوَالَّذِي بَعَثَنِي بِالْحَقِّ لَلَّهُ أَرْحَمُ بِعِبَادِهِ مِنْ أُمِّ الأَفْرَاخِ بِفِرَاخِهَا، ارْجِعْ بِهِنَّ حَتَّى تَضَعَهُنَّ مِنْ حَيْثُ أَخَذْتَهُنَّ وَأُمُّهُنَّ مَعَهُنَّ**» فَرَجَعَ بِهِنَّ.

3090 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ وَإِبْرَاهِيمُ بنُ مَهْدِيٍّ الْمِصِّيصِيُّ، الْمَعْنَى، قَالاَ: أخبرنا أَبُو الْمَلِيحِ، عن مُحَمَّدِ بنِ خَالِدٍ. قَالَ أَبُو دَاوُدَ: قَالَ إِبْرَاهِيمُ بنُ مَهْدِيٍّ السُّلَمِيُّ، عن أَبِيهِ، عن جَدِّهِ، وَكَانَتْ لَهُ صُحْبَةٌ مِنْ رَسُولِ اللَّهِ ﷺ

I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "When Allah preordains a high position for anyone of his servants, which he does not attain only with the help of his deeds, He Almighty puts him to trial with diseases in his body, or in his property or in his offspring, and sustains him with patience against that, until He makes him attain such high position as preordained for him by Allah Almighty."

[2] When A Man Does A Good Deeds, From Which He Is Diverted By Disease Or Journey

3091- It is narrated on the authority of Abu Musa that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said more than once: "If a man does a good deeds, from which he is diverted by disease or journey, it will be written as the same good deed he used to do while being healthy and resident."

[3] Visiting The Sick Women To Enquire About Their Health

3092- It is narrated on the authority of Umm Al-Ala' that she said: the Messenger of Allah "Allah's blessing and peace be upon him" visited me while I was sick in order to enquire about my health, and said: "Receive the good tidings O Umm Al-Ala'! Allah Almighty removes, with the disease which a Muslim suffers, his sins in the same way as the fire removes the impurities of gold and silver."

3093- It is narrated on the authority of A'ishah that she said: I said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! I know a Holy Verse in the Qur'an, which is the most difficult upon anyone." He asked: "Which Holy Verse do you mean O A'ishah?" I said: "It is Allah's saying: "It is not in accordance with your desires, nor with those of the People of the Scripture, for whoever works evil, will be requited accordingly."" He said: "O A'ishah! Do you not know that calamities and distresses afflict the faithful believer, even the spiking of a thorn (in the world instead of being punished in the hereafter), therewith he is rewarded against the evil of his deed? On the other hand, whoever is called to account will be punished." I asked: "Is it not that Allah Almighty says: "Then he, who will be given his record in his right hand, Soon will his account be taken by an easy reckoning"?" He replied: "That is only the presentation of the accounts; but he whose record is questioned, will be ruined."

[4] Visiting The Patient

3094- It is narrated on the authority of Usamah Ibn Zaid that he said: the Messenger of Allah "Allah's blessing and peace be upon him" set out to

قَالَ سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِنَّ الْعَبْدَ إِذَا سَبَقَتْ لَهُ مِنَ اللَّهِ مَنْزِلَةٌ لَمْ يَبْلُغْهَا بِعَمَلِهِ ابْتَلاَهُ اللَّهُ فِي جَسَدِهِ أَوْ فِي مَالِهِ أَوْ فِي وَلَدِهِ**».

قال أَبُو دَاوُدَ: زَادَ ابنُ نُفَيْلٍ: «**ثُمَّ صَبَّرَهُ عَلَى ذَلِكَ**». ثُمَّ اتَّفَقَا: «**حَتَّى يُبْلِغَهُ الْمَنْزِلَةَ الَّتِي سَبَقَتْ لَهُ مِنَ اللَّهِ تَبَارَكَ وَتَعَالَى**».

[ت2/م0، 0] ـ باب إذا كان الرجل يعمل عملاً صالحًا فشغله عنه مرض أو سفر

3091 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى وَمُسَدَّدٌ، المَعْنَى، قالا: حدَّثنا هُشَيْمٌ، عن الْعَوَّامِ بنِ حَوْشَبٍ، عن إِبْرَاهِيمَ بنِ عَبْدِ الرَّحْمَنِ السَّكْسَكِيِّ، عن أَبي بُرْدَةَ، عَنْ أَبِي مُوسَى قَالَ: سَمِعْتُ النَّبِيَّ ﷺ غيرَ مَرَّةٍ وَلاَ مَرَّتَيْنِ يَقُولُ: «**إِذَا كَانَ الْعَبْدُ يَعْمَلُ عَمَلاً صَالِحًا فَشَغَلَهُ عَنْهُ مَرَضٌ أَوْ سَفَرٌ كُتِبَ لَهُ كَصَالِحِ مَا كَانَ يَعْمَلُ وَهُوَ صَحِيحٌ مُقِيمٌ**».

[ت3/م0 ، 0] ـ باب عيادة النساء

3092 ـ حدّثنا سَهْلُ بنُ بَكَّارٍ، عن أَبي عَوَانَةَ، عن عَبْدِ المَلِكِ بن عُمَيْرٍ، عن أُمِّ الْعَلاَءِ قَالَتْ: عَادَنِي رَسُولُ اللَّهِ ﷺ وَأَنَا مَرِيضَةٌ فَقَالَ: «**أَبْشِرِي يَا أُمَّ الْعَلاَءِ فَإِنَّ مَرَضَ الْمُسْلِمِ يُذْهِبُ اللَّهُ بِهِ خَطَايَاهُ كَمَا تُذْهِبُ النَّارُ خَبَثَ الذَّهَبِ وَالْفِضَّةِ**».

3093 ـ حدّثنا مُسَدَّدٌ: أخبرنا يَحْيى. (ح)، وَحَدَّثنا مُحَمَّدُ بنُ بَشَّارٍ: أخبرنا عُثْمَانُ بنُ عُمَرَ ـ قال أَبُو دَاوُدَ: وَهَذَا لَفْظُ ابنُ بَشَّارٍ ـ عن أَبي عَامِرٍ الْخَزَّازِ، عن ابنِ أَبي مُلَيْكَةَ، عنْ عَائِشَةَ قَالَتْ: قُلْتُ: يَا رَسُولَ اللَّهِ إِنِّي لأَعْلَمُ أَشَدَّ آيَةٍ فِي الْقُرْآنِ قَالَ: «**أَيَّةُ آيَةٍ يَا عَائِشَةُ؟**» قَالَتْ: قَوْلُ اللَّهِ تَعَالَى: ﴿مَن يَعْمَلْ سُوٓءًا يُجْزَ بِهِۦ﴾ [النساء: 123]. قَالَ: «**أَمَا عَلِمْتِ يَا عَائِشَةُ أَنَّ الْمُؤْمِنَ تُصِيبُهُ النَّكْبَةُ أَوِ الشَّوْكَةُ فَيُكَافى بِأَسْوَإِ عَمَلِهِ وَمَنْ حُوسِبَ عُذِّبَ**» قالَتْ: أَلَيْسَ يَقُولُ اللَّهُ: ﴿فَسَوْفَ يُحَاسَبُ حِسَابًا يَسِيرًا ﴿٨﴾﴾ [الانشقاق: 8] قالَ: «**ذَاكُمُ الْعَرْضُ يَا عَائِشَةُ مَنْ نُوقِشَ الْحِسَابَ عُذِّبَ**».

قال أَبُو دَاوُدَ: وَهَذَا لَفْظُ ابْنِ بَشَّارٍ قَالَ أخبرنا ابنُ أَبي مُلَيْكَةَ.

[ت4/م0، 0] ـ باب في العيادة

3094 ـ حدّثنا عَبْدُ الْعَزِيزِ بنُ يَحْيَى: أَخبرنا مُحَمَّدُ بنُ سَلَمَةَ، عَنْ مُحَمَّدِ بنِ إِسْحَاقَ، عن الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ أُسَامَةَ بنِ زَيْدٍ قَالَ: «خَرَجَ رَسُولُ اللَّهِ ﷺ

pay a visit to Abdullah Ibn Ubai during his fatal illness because of which he died. When he entered upon him he recognized the death in his face, and said: "Have I not forbidden you to have intimate love towards the Jews?" he said: "As'ad Ibn Zurarah disliked them: What has happened?" when he died, his son came to him and said: "O Prophet of Allah! Abdullah Ibn Ubai died: give me your shirt perchance I would shroud him in it." The Messenger of Allah "Allah's blessing and peace be upon him" took off his shirt and gave it to him.

[5] Visiting The Non-Muslim Patient

3095- It is narrated on the authority of Anas that a young man from amongst the Jews fell ill, and the Messenger of Allah "Allah's blessing and peace be upon him" went to pay a visit to him and enquire about his health. He sat by the side of his head and said to him: "Embrace Islam!" the boy looked at his father who said to him: "Obey Abu Al-Qasim!" he embraced Islam, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" stood up saying: "Praise be to Allah Who has saved him through me from the fire (of Hell)."

[6] Going On Foot To Pay A Visit To A Patient

3096- It is narrated on the authority of Jabir that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" came to visit me and enquire about my health, he came walking on foot, and he was riding neither mule nor a saddled horse.

[7] The Excellence Of Visiting The Patient While Being In The State Of Ablution

3097- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who performs ablution perfectly and went to pay a visit to his Muslim brother patient and enquire about his health, expecting the reward of that (from Allah Almighty), will be moved away from the (fire of) Hell as far as a distance covered in seventy autumns." I asked him: "What does the autumn mean?" he said: "A whole year."

3098- It is narrated on the authority of Ali that he said: No man comes out in the evening to pay a visit to a patient and enquire about his health but that seventy thousand angels come out with him, and keep asking for Allah's Forgiveness for him until morning, and a garden in the Paradise is assigned to him; and No man comes out in the morning to pay a visit to a patient and enquire about his health but that seventy thousand angels come

يَعُودُ عَبْدَ اللَّهِ بنَ أُبَيٍّ فِي مَرَضِهِ الَّذِي مَاتَ فِيهِ فَلَمَّا دَخَلَ عَلَيْهِ عَرَفَ فِيهِ المَوْتَ، قال: «**قَدْ كُنْتُ أَنْهَاكَ عَنْ حُبِّ يَهُودَ**». قال: فَقَدْ أَبْغَضَهُمْ أَسْعَدُ بنُ زُرَارَةَ فَمَهْ؟ فَلَمَّا مَاتَ أَتَاهُ ابْنُهُ فَقَالَ: يَا نَبِيَّ اللَّهِ إِنَّ عَبْدَ اللَّهِ بنَ أُبَيٍّ قَدْ مَاتَ، فَأَعْطِنِي قَمِيصَكَ أُكَفِّنْهُ فِيهِ، فَنَزَعَ رَسُولُ اللَّهِ ﷺ قَمِيصَهُ فَأَعْطَاهُ إِيَّاهُ».

[ت5/م2، 2] ـ باب في عيادة الذمي

3095 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ: حدَّثنا حَمَّادٌ ـ يَعْنِي ابنَ زَيْدٍ ـ، عن ثَابِتٍ، عن أَنَسٍ: أَنَّ غُلامًا مِنَ الْيَهُودِ كَانَ مَرِضَ فَأَتَاهُ النَّبِيُّ ﷺ يَعُودُهُ فَقَعَدَ عِنْدَ رَأْسِهِ، فَقَالَ لَهُ: «**أَسْلِمْ**» فَنَظَرَ إِلَى أَبِيهِ وَهُوَ عِنْدَ رَأْسِهِ، فَقَالَ لَهُ أَبُوهُ: أَطِعْ أَبَا الْقَاسِمِ! فَأَسْلَمَ، فَقَامَ النَّبِيُّ ﷺ وَهُوَ يَقُولُ: «**الْحَمْدُ لِلَّهِ الَّذِي أَنْقَذَهُ بِي مِنَ النَّارِ**».

[ت6/م0، 0] ـ باب المشي في العيادة

3096 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا عَبْدُ الرَّحْمَنِ بنُ مَهْدِيٍّ، عن سُفْيَانَ، عن مُحَمَّدِ بنِ الْمُنْكَدِرِ، عن جَابِرٍ قَالَ: «كَانَ النَّبِيُّ ﷺ يَعُودُنِي لَيْسَ بِرَاكِبِ بَغْلٍ وَلاَ بِرْذَوْنٍ».

[ت7/م3 ، 3] ـ باب في فضل العيادة على وضوء

3097 ـ حدّثنا مُحَمَّدُ بنُ عَوْفٍ الطَّائِيُّ: حدَّثنا الرَّبِيعُ بنُ رَوْحِ بنِ خُلَيْدٍ: حدَّثنا مُحَمَّدُ بنُ خَالِدٍ، قال: حدَّثنا الْفَضْلُ بنِ دَلْهَمَ الْوَاسِطِيُّ، عن ثَابِتٍ الْبُنَانِيِّ، عنْ أَنَسِ بنِ مَالِكٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ تَوَضَّأَ فَأَحْسَنَ الْوُضُوءَ وَعَادَ أَخَاهُ الْمُسْلِمَ مُحْتَسِبًا بُوعِدَ مِنْ جَهَنَّمَ مَسِيرَةَ سَبْعِينَ خَرِيفًا**». قُلْتُ: يَا أَبَا حَمْزَةَ وَمَا الْخَرِيفُ؟ قَالَ: الْعَامُ.

قال أَبُو دَاوُدَ: وَالَّذِي تَفَرَّدَ بِهِ الْبَصْرِيُّونَ مِنْهُ الْعِيَادَةُ وَهُوَ مُتَوَضِّئٌ.

3098 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا شُعْبَةُ، عن الْحَكَمِ، عن عَبْدِ اللَّهِ بنِ نَافِعٍ، عن عَلِيٍّ قال: «مَا مِنْ رَجُلٍ يَعُودُ مَرِيضًا مُمْسِيًا إِلاَّ خَرَجَ مَعَهُ سَبْعُونَ أَلْفَ

out with him, and keep asking for Allah's Forgiveness for him until evening, and a garden in the Paradise is assigned to him.

3099- The same is narrated on the authority of Abd Ar-Rahman Ibn Abu Laila from Ai from the Messenger of Allah "Allah's blessing and peace be upon him", but no mention is made of the garden.

3100- It is narrated on the authority of Abu Ja'far: Abdullah Ibn Nafi', and Nafi' was the freed slave of Al-Hasan Ibn Ali that he said: Abu Musa came to visit Al-Hasan Ibn Ali and enquire about his health when he fell ill...and the rest is the same.

Abu Dawud says: This narration is ascribed to Ali from the Messenger of Allah "Allah's blessing and peace be upon him", even though improperly.

[8] Paying Many Visits To The Patient

3101- It is narrated on the authority of A'ishah that she said: When Sa'd Ibn Mu'adh was injured on the day of the Trench, i.e. when he was thrown by an arrow in his medial arm vein, the Messenger of Allah "Allah's blessing and peace be upon him" pitched a tent for him in the mosque, in order to be near him, and he would be able to visit him (as much as he liked).

[9] Visiting Such As Affected With An Eye-Trouble

3102- It is narrated on the authority of Zaid Ibn Arqam that he said: The Messenger of Allah "Allah's blessing and peace be upon him" paid a visit to me in order to enquire about my health on account of an eye trouble I had.

[10] Coming Out Of A Town In Which There Is Plague

3103- It is narrated on the authority of Abdullah Ibn Abbas that he said: Abd Ar-Rahman Ibn Awf said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "If you heard of it, i.e. the plague in a certain town, do not go to it; and if it befalls a town where you are, do not come out in flight of it."

[11] Invoking Allah To Heal A Patient On Visiting Him

3104- It is narrated on the authority of A'ishah Bint Sa'd from her father that he said: I fell ill at Mecca, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" paid a visit to me to enquire about my health: he placed his hand over my forehead, and passed his hand over my

مَلَكٍ يَسْتَغْفِرُونَ لَهُ حَتَّى يُصْبِحَ، وَكَانَ لَهُ خَرِيفٌ فِي الْجَنَّةِ، وَمَنْ أَتَاهُ مُصْبِحًا خَرَجَ مَعَهُ سَبْعُونَ أَلْفَ مَلَكٍ يَسْتَغْفِرُونَ لَهُ حَتَّى يُمْسِيَ، وَكَانَ لَهُ خَرِيفٌ فِي الْجَنَّةِ».

3099 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا أَبُو مُعَاوِيَةَ، قال: أخبرنا الأَعْمَشُ، عن الْحَكَمِ، عن عَبْدِ الرَّحْمَنِ بنِ أَبِي لَيْلَى، عَنْ عَلِيٍّ، عن النَّبِيِّ ﷺ بِمَعْنَاهُ، وَلَمْ يَذْكُرِ الْخَرِيفَ.

قال أَبُو دَاوُدَ: رَوَاهُ مَنْصُورٌ عن الْحَكَمِ كَمَا رَوَاهُ شُعْبَةُ.

3100 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، قال: حدَّثنا جَرِيرٌ، عن مَنْصُورٍ، عن الْحَكَمِ، عن أَبِي جَعْفَرٍ عَبْدِ اللَّهِ بنِ نَافِعٍ قال: وَكَانَ نَافِعٌ غُلاَمَ الْحَسَنِ بنِ عَلِيٍّ، قال: جَاءَ أَبُو مُوسَى إِلَى الْحَسَنِ بنِ عَلِيٍّ يَعُودُهُ.

قال أَبُو دَاوُدَ: وَسَاقَ مَعْنَى حَدِيثِ شُعْبَةُ.

قال أَبُو دَاوُدَ: أُسْنِدَ هَذَا عَنْ عَلِيٍّ عن النَّبِيِّ ﷺ مِنْ غَيْرِ وَجْهٍ صَحِيحٍ.

[ت8/م4، 4] ـ باب في العيادة مرارًا

3101 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا عَبْدُ اللَّهِ بنُ نُمَيْرٍ، عن هِشَامِ بنِ عُرْوَةَ، عن أَبِيهِ، عنْ عَائِشَةَ قَالَتْ: «لَمَّا أُصِيبَ سَعْدُ بنُ مُعَاذٍ يَوْمَ الْخَنْدَقِ رَمَاهُ رَجُلٌ فِي الأَكْحَلِ، فَضَرَبَ عَلَيْهِ رَسُولُ اللَّهِ ﷺ خَيْمَةً فِي الْمَسْجِدِ لِيَعُودَهُ مِنْ قَرِيبٍ».

[ت9/م5، 5] ـ باب في العيادة من الرَّمَد

3102 ـ حدّثنا عَبْدُ اللَّهِ بنِ مُحَمَّدٍ النُّفَيْلِيُّ: حدَّثنا حَجَّاجُ بنُ مُحَمَّدٍ، عن يُونُسَ بنِ أَبِي إِسْحَاقَ، عن أَبِيهِ، عن زَيْدِ بنِ أَرْقَمَ قالَ: «عَادَنِي رَسُولُ اللَّهِ ﷺ مِنْ وَجَعٍ كَانَ بِعَيْنَيَّ».

[ت10/م6، 6] ـ باب الخروج من الطاعون

3103 ـ حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن ابنِ شِهَابٍ، عنْ عَبْدِ الْحَمِيدِ بنِ عَبْدِ الرَّحْمَنِ بنِ زَيْدِ بنِ الْخَطَّابِ، عنْ عَبد اللَّه بن عَبْدِ اللَّهِ بنِ الْحَارِثِ بنِ نَوْفَلٍ، عن عَبْدِ اللَّهِ بنِ عَبَّاسٍ: أَنَّ عُمَرَ بن الخطَّاب جَاءَ إلى الشَّام، حتَّى إذا كانَ بِسَرْغَ لَقِيَهُ أمراء الأَجْنَادِ: أبو عُبَيْدَة بن الجراح، وأَصْحَابُه، فَأَخْبَرُوه أَنَّ الوَبَاءَ قد وقعَ بالشَّأم، فاخْتَلَفُوا عليه. فجاء عبدُ الرحمن بن عَوْف، وكان مُتَغَيِّباً في بعض حَاجَتِهِ، فقال: إِنَّ عِنْدِي في هذا عِلْماً: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِذَا سَمِعْتُمْ بِهِ بِأَرْضٍ فَلاَ تَقْدَمُوا عَلَيْهِ، وَإِذَا وَقَعَ بِأَرْضٍ وَأَنْتُمْ بِهَا فَلاَ تَخْرُجُوا فِرَارًا مِنْهُ**» يَعْنِي الطَّاعُونَ.

[ت11/م7، 7] ـ باب الدعاء للمريض بالشفاء عند العيادة

3104 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ: حدَّثنا مَكِّيُّ بنُ إِبْرَاهِيمَ: حدَّثنا الْجُعَيْدُ، عن عَائِشَةَ بِنْتِ سَعْدٍ أَنَّ أَبَاهَا قَالَ: اشْتَكَيْتُ بِمَكَّةَ فَجَاءَنِي رَسُولُ اللَّهِ ﷺ يَعُودُنِي وَوَضَعَ يَدَهُ

breast and abdomen, and said: "O Allah! Cure Sa'd, and make perfect his migration!"

3105- It is narrated on the authority of Abu Musa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Feed the hungry and pay visit to the patient to enquire about his health, and (help to) release the captive."

[12] Invoking Good Upon The Patient On Visiting Him

3106- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who visits a patient whose term appointed has not expired yet (because of this present disease), and says (by way of invocation) seven times: "I ask Allah the Great, the Lord of the Great Throne (of Authority) to cure you" but that Allah will heal him from that disease."

3107- It is narrated on the authority of Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you visits a patient to enquire about his health, let him say: "O Allah! Cure Your servant (so and so), perchance he might injure one of Your enemies, or follow a funeral procession (or walk to offer a prayer and receive reward for that)."

[13] It Is Undesirable To Hope For Death

3108- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None of you should invoke death upon himself only for being afflicted by a disaster, but let him say: O Allah! Give me life as long as life is good for me; and cause me to die as long as death is good for me."

3109- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None of you should invoke death upon himself only for being afflicted by a disaster..."and the rest is the same.

[14] What About The Sudden Death

3110- It is narrated on the authority of Ubaid Ibn Khalid As-Sulami, one of the companions of the Messenger of Allah "Allah's blessing and peace be upon him", that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The sudden (attack of) death (for the infidel) is the angry seizing (or the seizing of the Angry One)."

عَلَى جَبْهَتِي ثُمَّ مَسَحَ صَدْرِي وَبَطْنِي ثُمَّ قَالَ: «**اللَّهُمَّ اشْفِ سَعْدًا وَأَتْمِمْ لَهُ هِجْرَتَهُ**».

3105 ـ حدّثنا ابنُ كَثِيرٍ، قالَ: حدَّثنا سُفْيَانُ، عن مَنْصُورٍ، عن أَبِي وَائِلٍ، عَنْ أَبِي مُوسَى الأَشْعَرِيِّ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**أَطْعِمُوا الْجَائِعَ وَعُودُوا الْمَرِيضَ وَفُكُّوا الْعَانِي**».

قَالَ سُفْيَانُ: وَالْعَانِي: الأَسِيرُ.

[ت12/م8، 8] ـ باب الدعاء للمريض عند العيادة

3106 ـ حدّثنا الرَّبِيعُ بنُ يَحْيَى: حدَّثنا شُعْبَةُ: حدَّثنا يَزِيدُ أَبُو خَالِدٍ، عن المِنْهَالِ بنِ عَمْرٍو، عن سَعِيدِ بنِ جُبَيْرٍ، عنِ ابنِ عَبَّاسٍ، عن النَّبِيِّ ﷺ قال: «**مَنْ عَادَ مَرِيضًا لَمْ يَحْضُرْ أَجَلُهُ فَقَالَ عِنْدَهُ سَبْعَ مِرَارٍ: أَسْأَلُ اللَّهَ الْعَظِيمَ رَبَّ الْعَرْشِ الْعَظِيمِ أَنْ يَشْفِيَكَ، إِلاَّ عَافَاهُ اللَّهُ مِنْ ذَلِكَ الْمَرَضِ**».

3107 ـ حدّثنا يَزِيدُ بنُ خَالِدٍ الرَّمْلِيُّ: حدَّثنا ابنُ وَهْبٍ، عن حُيَيِّ بنِ عَبْدِ اللَّهِ، عن أَبِي عَبْدِ الرَّحْمَنِ الْحُبُلِيِّ، عن ابنِ عَمْرٍو قَالَ قَالَ النَّبِيُّ ﷺ: «**إِذَا جَاءَ الرَّجُلُ يَعُودُ مَرِيضًا فَلْيَقُلِ: اللَّهُمَّ اشْفِ عَبْدَكَ، يَنْكَأُ لَكَ عَدُوًّا أَوْ يَمْشِي لَكَ إِلَى جَنَازَةٍ**».

قال أَبُو دَاوُدَ: وَقَالَ ابنُ السَّرْحِ: إِلَى صَلاَةٍ.

[ت13/م9، 9] ـ باب في كراهية تمني الموت

3108 ـ حدّثنا بِشْرُ بنُ هِلاَلٍ: حدَّثنا عَبْدُ الْوَارِثِ، عن عَبْدِ الْعَزِيزِ بنِ صُهَيْبٍ، عن أَنَسِ بنِ مَالِكٍ قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَدْعُوَنَّ أَحَدُكُمْ بالمَوْتِ لِضُرٍّ نَزَلَ بِهِ، وَلَكِنْ لِيَقُلِ: اللَّهُمَّ أَحْيِنِي مَا كَانَتِ الْحَيَاةُ خَيْرًا لِي، وَتَوَفَّنِي إِذَا كَانَتِ الْوَفَاةُ خَيْرًا لِي**».

3109 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ، أخبرنا أَبُو دَاوُدَ ـ يَعْنِي الطَّيَالِسِيَّ ـ، أخبرنا شُعْبَةُ، عن قَتَادَةَ، عن أَنَسِ بنِ مَالِكٍ، أَنَّ النَّبِيَّ ﷺ قَالَ: «**لاَ يَتَمَنَّيَنَّ أَحَدُكُمُ الْمَوْتَ**» فَذَكَرَ مِثْلَهُ.

[ت14/م10، 10] ـ باب في موت الفجأة

3110 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن شُعْبَةَ، عن مَنْصُورٍ، عن تَمِيمِ بنِ سَلَمَةَ، أَوْ سَعْدِ بنِ عُبَيْدَةَ، عن عُبَيْدِ بنِ خَالِدٍ السُّلَمِيِّ، رَجُلٌ مِنْ أَصْحَابِ النَّبِيِّ ﷺ قَالَ مَرَّةً: عن النَّبِيِّ ﷺ، ثُمَّ قَالَ مَرَّةً عن عُبَيْدٍ قال: «**مَوْتُ الْفُجَأَةِ أَخْذَةُ أَسَفٍ**».

[15] The Superiority Of Such As Dies Because Of Plague

3111- It is narrated on the authority of Jabir Ibn Atik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came to pay a visit to Abdullah Ibn Thabit to enquire about his health, and found him having being overpowered by death. The Messenger of Allah "Allah's blessing and peace be upon him" cried at him, but he gave no response. On that the Messenger of Allah "Allah's blessing and peace be upon him" uttered the statement: "We are to Allah, to Whom we refer" and said: "No doubt, it (death) has overpowered us against you O Abu Ar-Rabie!" the women went on crying and weeping but Ibn Atik started exhorting them to keep silent, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let them, and when it is affirmed, let none weep!" they asked: "What is the (sign of) affirmation O Messenger of Allah?" he said: "Death." His daughter said: "By Allah! I hoped you would die as a martyr, for you've got ready for that." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, his reward has become incumbent upon Allah Almighty according to his intention. What do you regard the martyr among you?" they said: "It is him, who is killed in the Cause of Allah." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Indeed, there are seven types of martyrdom other than the killing in Allah's Cause: whoever dies because of plague is a martyr; whoever dies because of drowning is a martyr; whoever dies because of pleurisy is martyr; whoever dies because of his abdomen is a martyr; whoever dies because of burning is a martyr; whoever dies because of falling under ruins is a martyr; and a woman who dies with what is her womb (i.e. the pregnant) is a martyr."

[16] Trimming The Nails And The (Hair Of The) Pubic Area Of The Patient

3112- It is narrated on the authority of Abu Hurairah that he said: Khubaib was bought by the sons of Al-Harith Ibn Amir Ibn Nawfal Ibn Abd Manaf. It was Khubaib who had killed Al-Harith Ibn Amir on the day (of the battle of) Badr. So, Khubaib remained a prisoner with those people. When those people gathered (to kill Khubaib) he borrowed a razor from the daughter of Al-Harith to shave his pubes and she gave it to him. Then a son of hers walked towards him while she was unaware when he came upon him. She came to him and found him placing her son on his thigh and the razor was in his hand. She got scared so much that Khubaib noticed the agitation on her face and said: "Are you afraid that I will kill him? No, I will never do so."

[ت15/م11] ـ باب في فضل من مات بالطاعون

3111 ـ حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن عَبْدِ اللَّهِ بنِ عَبْدِ اللَّهِ بنِ جَابِرِ بنِ عَتِيكٍ، عن عَتِيكِ بنِ الْحَارِثِ بنِ عَتِيكٍ ـ وَهُوَ جَدُّ عَبْدِ اللَّهِ بنِ عَبْدِ اللَّهِ أَبُو أُمِّهِ ـ أَنَّهُ أَخْبَرَهُ أَنَّ عَمَّهُ جَابِرَ بنَ عَتِيكٍ أَخْبَرَهُ: أَنَّ رَسُولَ اللَّهِ ﷺ جَاءَ يَعُودُ عَبْدَ اللَّهِ بنَ ثَابِتٍ فَوَجَدَهُ قَدْ غُلِبَ، فَصَاحَ بِهِ رَسُولُ اللَّهِ ﷺ، فَلَمْ يُجِبْهُ، فَاسْتَرْجَعَ رَسُولُ اللَّهِ ﷺ وَقَالَ: «**غُلِبْنَا عَلَيْكَ يَا أَبَا الرَّبِيعِ**» فَصَاحَ النِّسْوَةُ وَبَكَيْنَ، فَجَعَلَ ابنُ عَتِيكٍ يُسْكِتُهُنَّ، فقالَ رَسُولُ اللَّهِ ﷺ: «**دَعْهُنَّ فَإِذَا وَجَبَ فَلاَ تَبْكِيَنَّ بَاكِيَةٌ**». قَالُوا: وَمَا الْوُجُوبُ يَا رَسُولَ اللَّهِ؟ قالَ: «**المَوْتُ**» قَالَتِ ابْنَتُهُ: وَاللَّهِ إِنْ كُنْتُ لأَرْجُو أَنْ تَكُونَ شَهِيدًا فَإِنَّكَ قَدْ كُنْتَ قَضَيْتَ جِهَازَكَ، قال رَسُولُ اللَّهِ ﷺ: «**إِنَّ اللَّهَ عَزَّ وَجَلَّ قَدْ أَوْقَعَ أَجْرَهُ عَلَى قَدْرِ نِيَّتِهِ، وَمَا تَعُدُّونَ الشَّهَادَةَ؟**» قَالُوا: الْقَتْلَ فِي سَبِيلِ اللَّهِ. قال رَسُولُ اللَّهِ ﷺ: «**الشَّهَادَةُ سَبْعٌ سِوَى الْقَتْلِ فِي سَبِيلِ اللَّهِ: المَطعُونُ شَهِيدٌ، وَالْغَرِقُ شَهِيدٌ، وَصَاحِبُ ذَاتِ الْجَنْبِ شَهِيدٌ، وَالمَبْطُونُ شَهِيدٌ، وَصَاحِبُ الْحَرِيقِ شَهِيدٌ، وَالَّذِي يَمُوتُ تَحْتَ الْهَدْمِ شَهِيدٌ، وَالمَرْأَةُ تَمُوتُ بِجُمْعٍ شَهِيدٌ**».

قال أبو داود: الجُمْع: أَنْ يكُون ولدها مَعَها.

[ت16/م11، 12] ـ باب المريض يؤخذ من أظفاره وعانته

3112 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدثنا إِبْرَاهِيم بنُ سَعْدٍ: أخبرنا ابنُ شِهَابٍ: أخبرني عُمَرُ بنُ جَارِيَةَ الثَّقَفِيُّ حَلِيفُ بَنِي زُهْرَةَ، وَكَانَ مِنْ أَصْحَابِ أَبِي هُرَيْرَةَ، عن أَبِي هُرَيْرَةَ قال: «ابْتَاعَ بَنُو الْحَارِثِ بنِ عَامِرِ بنِ نَوْفَلٍ خُبَيْبًا، وَكَانَ خُبَيْبٌ هُوَ قَتَلَ الْحَارِثَ بنَ عَامِرٍ يَوْمَ بَدْرٍ، فَلَبِثَ خُبَيْبٌ عِنْدَهُمْ أَسِيرًا حَتَّى أَجْمَعُوا لِقَتْلِهِ، فَاسْتَعَارَ مِنَ ابْنَةِ الْحَارِثِ مُوسَى يَسْتَحِدُّ بِهَا، فَأَعَارَتْهُ، فَدَرَجَ بُنَيٌّ لَهَا وَهِيَ غَافِلَةٌ حَتَّى أَتَتْهُ فَوَجَدَتْهُ مُخْلِيًا وَهُوَ عَلَى فَخِذِهِ وَالمُوسَى بِيَدِهِ، فَفَزِعَتْ فَزْعَةً عَرَفَهَا فِيهَا، فقال: أَتَخْشِينَ أَنْ أَقْتُلَهُ؟ مَا كُنْتُ لأَفْعَلَ ذَلِكَ».

Abu Dawud says: This story is narrated on the authority of Az-Zuhri who said: Ubaidullah Ibn Iyad reported that the daughter of Al-Harith had told him: "When those people gathered (to kill Khubaib) he borrowed a razor from me to shave his pubes and I gave it to him."

[17] It Is Desirable To Think Good Of Allah At The Approach Of Death

3113- It is narrated on the authority of Jabir Ibn Abdullah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said three days before his death: "Let none of you die but that he should think good of Allah Almighty."

[18] It Is Desirable To Purify The Garments Of The Would-Be Dead At The Approach Of Death

3114- It is narrated on the authority of Abu Sa'id Al-Khudri that when death approached him he asked for new garments, which he wore and said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The dead will be resurrected in his garment in which he dies."

[19] Which Speech Is Desirable To Be Said Near The Dead

3115- It is narrated on the authority of Umm Salamah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When you are visiting a sick person or one on the threshold of death, you should invoke good for him, for the angels say "Amen" in confirmation to what you say." When Abu Salamah died, I said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! Abu Salamah (my husband) died: what should I say?" On that he said: "Say: O Allah! Forgive for me and him, and recompense me with good in substitution for him." When I did, Allah recompensed me with him, who is much better, Muhammad, Allah's Messenger "Allah's blessing and peace be upon him".

[20] Dictating (The Testimony Of Allah's Oneness To The Dead)

3116- It is narrated on the authority of Mu'adh Ibn Jabal that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, whose last statement (before death) is: "There is no god (to be worshipped) but Allah" will enter the Garden."

3117- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him"

قال أَبُو دَاوُدَ: رَوَى هَذِهِ الْقِصَّةَ شُعَيْبُ بنُ أَبي حَمْزَةَ عن الزُّهْرِيِّ قال: أَخبرني عُبَيْدُ اللَّهِ بنُ عِيَاضٍ أَنَّ ابْنَةَ الْحَارِثِ أَخْبَرَتْهُ أَنَّهُمْ حِينَ اجْتَمَعُوا ـ يَعْني لِقَتْلِهِ ـ اسْتَعَارَ مِنْهَا مُوسَى يَسْتَحِدُّ بِهَا، فَأَعَارَتْهُ.

[ت17/م12، 13] ـ باب ما يُستحب من حسن الظن باللَّهِ عند الموت

3113 ـ حدّثنا مُسَدَّدٌ: أخبرنا عِيسَى بنُ يُونُسَ: حدَّثنا الأَعْمَشُ، عن أَبِي سُفْيَانَ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قال: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ قَبْلَ مَوْتِهِ بِثَلاَثٍ، قال: «**لاَ يَمُوتُ أَحَدُكُمْ إِلاَّ وَهُوَ يُحْسِنُ الظَّنَّ بِاللَّهِ**».

[ت18/13، 14] ـ باب ما يستحب من تطهير ثياب الميت عند الموت

3114 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا ابنُ أَبِي مَرْيَمَ: أَخبرنا يَحْيَى بنُ أَيُّوبَ، عن ابنِ الْهَادِ، عن مُحَمَّدِ بنِ إِبْرَاهِيمَ، عن أَبي سَلَمَةَ، عن أَبي سَعِيدٍ الْخُدْرِيِّ: أَنَّهُ لَمَّا حَضَرَهُ الْمَوْتُ دَعَا بِثِيَابٍ جُدُدٍ فَلَبِسَهَا ثُمَّ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِنَّ الْمَيِّتَ يُبْعَثُ فِي ثِيَابِهِ الَّتِي يَمُوتُ فِيهَا**».

[ت19/م14، 15] ـ باب ما يستحب أن يقال عند الميت من الكلام

3115 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُفْيَانُ، عن الأَعْمَشِ، عن أَبِي وَائِلٍ، عن أُمِّ سَلَمَةَ قَالَتْ: قال رَسُولُ اللَّهِ ﷺ: «**إِذَا حَضَرْتُمُ الْمَيِّتَ فَقُولُوا خَيْرًا فَإِنَّ الْمَلاَئِكَةَ يُؤَمِّنُونَ عَلَى مَا تَقُولُونَ**»، فَلَمَّا مَاتَ أَبُو سَلَمَةَ قُلْتُ: يَا رَسُولَ اللَّهِ مَا أَقُولُ؟ قال: قُولِي: «**اللَّهُمَّ اغْفِرْ لَهُ وَأَعْقِبْنَا عُقْبَى صَالِحَةً**» قالَتْ: فَأَعْقَبَنِي اللَّه تَعَالَى بِهِ مُحَمَّدًا ﷺ.

[ت20/م15، 16] ـ باب في التلقين

3116 ـ حدّثنا مَالِكُ بنُ عَبْدِ الْوَاحِدِ الْمِسْمَعِيُّ: حدَّثنا الضَّحَّاكُ بنُ مَخْلَدٍ: حدَّثنا عَبْدُ الْحَمِيدِ بنُ جَعْفَرٍ، قالَ: حَدَّثَنِي صَالِحُ بنُ أَبي عَرِيبٍ، عنْ كَثِيرِ بنِ مُرَّةَ، عنْ مُعَاذِ بنِ جَبَلٍ قَالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ كَانَ آخِرُ كَلاَمِهِ لاَ إِلَهَ إِلاَّ اللَّه دَخَلَ الْجَنَّةَ**».

3117 ـ حدّثنا مُسَدَّدٌ: أَخبرنا بِشْرٌ: أخبرنا عُمَارَةُ بنُ غَزِيَّةَ: أَخبرنا يَحْيَى بنُ عُمَارَةُ، قالَ: سَمِعْتُ أَبَا سَعِيدٍ الْخُدْرِيَّ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لَقِّنُوا مَوْتَاكُمْ**

having said: "Dictate your dead the statement "There is no god (to be worshipped) but Allah" (before their death)."

[21] Shutting Up The Eyes Of The Dead

3118- It is narrated on the authority of Umm Salamah that she said: (When Abu Salamah died) The Messenger of Allah "Allah's blessing and peace be upon him" entered into Abu Salamah and his eyes were fixedly open. Thereupon he (the Prophet) closed them up, thereupon some o f his family went on crying. On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not invoke but good upon yourselves, for indeed, the angels say "Amen" in confirmation to what you say." He further said: "O Allah! Forgive for Abu Salamah; raise his degree among the well-guided persons; recompense him with good offspring among the living ones; and forgive for both us and him, O (Allah) the Cherisher and Sustainer of all the worlds! O Allah! Make spacious his grave for him, and bestow light upon him in it."

[22] Saying: "We All Are To Allah, To Whom We Belong"

3119- It is narrated on the authority of Umm Salamah that she said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you is befallen by a distress, let him say: "We are to Allah, to Whom we belong: O Allah! I expect (the reward of) my distress in Your Presence! So, give me reward for it, and substitute me with a better recompense."

[23] The Dead Should Be Made To Lie

3120- It is narrated on the authority of A'ishah that the (dead body of the) Messenger of Allah was made to lie in a Yemenite Hibrah.

[24] The Recitation In The Presence Of The Dead

3121- It is narrated on the authority of Ma'qil Ibn Yasar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Recite "Ya Sin" on your dead."

[25] Sitting On (Receiving The News Of) Calamity

3122- It is narrated on the authority of A'ishah that she said: When (there came the news that) Zaid Ibn Harithah, Ja'far and Abdullah Ibn Rawahah were martyred, the Messenger of Allah "Allah's blessing and peace be upon him" sat in the mosque, and the traces of sadness were recognized in his face.

قَوْلَ لاَ إِلَهَ إِلاَّ اللَّه».

[ت21/م16، 17] ـ باب تغميض الميت

3118 ـ حدّثنا عَبْدُ المَلِكِ بنُ حَبِيبٍ أَبُو مَرْوَانَ: حدَّثنا أَبُو إِسْحَاقَ ـ يَعْنِي الْفَزَارِيَّ ـ، عن خَالِدٍ الحذاء، عن أَبِي قِلاَبَةَ، عن قَبِيصَةَ بنِ ذُؤَيْبٍ، عن أُمِّ سَلَمَةَ قالَتْ: دَخَلَ رَسُولُ اللَّهِ ﷺ عَلَى أَبِي سَلَمَةَ وَقَدْ شَقَّ بَصَرُهُ فَأَغْمَضَهُ، فَصَيَّحَ نَاسٌ مِنْ أَهْلِهِ فَقَالَ: **لاَ تَدْعُوا عَلَى أَنْفُسِكُمْ إِلاَّ بِخَيْرٍ، فَإِنَّ المَلاَئِكَةَ يُؤَمِّنُونَ عَلَى مَا تَقُولُونَ**»، ثُمَّ قَالَ: «**اللَّهُمَّ اغْفِرْ لأَبِي سَلَمَةَ وَارْفَعْ دَرَجَتَهُ فِي المَهْدِيِّينَ، وَاخْلُفْهُ فِي عَقِبِهِ فِي الْغَابِرِينَ وَاغْفِرْ لَنَا وَلَهُ رَبَّ العَالَمِينَ اللَّهمَّ افْسَحْ لَهُ فِي قَبْرِهِ وَنَوِّرْ لَهُ فِيهِ**».

قال أَبُو دَاوُدَ: لَمْ يُسْنَدْ هَذَا إِلاَّ أَبُو إِسْحَاقَ.

قال أَبُو دَاوُدَ: وَتَغْمِيضُ المَيِّتِ بَعْدَ خُرُوجِ الرُّوحِ سَمِعْتُ مُحَمَّدَ بنَ مُحَمَّدِ بنِ النُّعْمَانِ المُقْرِىءَ قالَ سَمِعْتُ أَبَا مَيْسَرَةَ ـ رَجُلاً عَابِدًا ـ يَقُولُ: غَمَّضْتُ جَعْفَرَ المُعَلِّمَ وَكَانَ رَجُلاً عَابِدًا فِي حَالَةِ الْمَوْتِ، فَرَأَيْتُهُ فِي مَنَامِي لَيْلَةَ مَاتَ يَقُولُ: أَعْظَمُ مَا كَانَ عَلَيَّ تَغْمِيضُكَ لي قَبْلَ أَنْ أَمُوتَ.

[ت22/م17، 18] ـ باب في الاسترجاع

3119 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ: أخبرنا ثَابِتٌ، عن ابنِ عُمَرَ بنِ أَبِي سَلَمَةَ، عن أَبِيهِ، عن أُمِّ سَلَمَةَ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا أَصَابَتْ أَحَدَكُمْ مُصِيبَةٌ فَلْيَقُلْ: ﴿إِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ﴾ اللَّهُمَّ عِنْدَكَ أَحْتَسِبُ مُصِيبَتِي فَأْجُرْنِي فِيهَا وَأَبْدِلْ لِي بِهَا خَيْرًا مِنْهَا**».

[ت23/م18، 19] ـ باب في الميت يُسجَّى

3120 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ، عن الزُّهْرِيِّ، عن أَبِي سَلَمَةَ، عن عَائِشَةَ: «**أَنَّ النَّبِيَّ ﷺ سُجِّيَ فِي ثَوْبِ حِبَرَةٍ**».

[ت24/م19، 20] ـ باب القراءة عند الميت

3121 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ وَمُحَمَّدُ بنُ مَكِّيٍّ المَرْوَزِيُّ، المَعْنَى، قالاَ: حدَّثنا ابنُ المُبَارَكِ، عن سُلَيْمَانَ التَّيْمِيِّ، عن أَبِي عُثْمَانَ وَلَيْسَ بالنَّهْدِيِّ، عَنْ أَبِيهِ، عن مَعْقِلِ بنِ يَسَارٍ قَالَ: قَالَ النَّبِيُّ ﷺ: «**اقْرَأُوا ﴿يس﴾ عَلَى مَوْتَاكُمْ**» وَهَذَا لَفْظُ ابنِ العَلاَءِ.

[ت25/م20، 21] ـ باب الجلوس عند المصيبة

3122 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُلَيْمَانُ بنُ كَثِيرٍ، عَنْ يَحْيَى بنِ سَعِيدٍ، عن عَمْرَةَ، عن عَائِشَةَ قَالَتْ: «لَمَّا قُتِلَ زَيْدُ بنُ حَارِثَةَ وَجَعْفَرٌ وَعَبْدُ اللَّهِ بنُ رَوَاحَةَ جَلَسَ رَسُولُ اللَّهِ ﷺ فِي المَسْجِدِ يُعْرَفُ فِي وَجْهِهِ الْحُزْنُ» وَذَكَرَ الْقِصَّةَ.

قال أَبُو دَاوُدَ: قولُه: «جلَسَ في المسجِدِ» أغرب به سليمان بنِ كثير ليس يقوله غيره.

[26] Paying Condolence (To The Family Of The Deceased)

3123- It is narrated on the authority of Abdullah Ibn Amr that he said: We buried a dead person with the Messenger of Allah "Allah's blessing and peace be upon him", and when we finished from the burial ceremonies the Messenger of Allah "Allah's blessing and peace be upon him" turned away, and we turned away with him. When he was by the side of the gate of his house he stood and behold! A woman was coming towards him, and I think he recognized her. When she went behold! She was Fatimah (his daughter) "Peace be upon her". The Messenger of Allah "Allah's blessing and peace be upon him" said to her: "O Fatimah! What led you to come out of your house?" she said: "I've come O Messenger of Allah to (the woman among the) family of this dead to ask for Allah's Mercy for their dead, or to pay condolence to them for his death." The Messenger of Allah "Allah's blessing and peace be upon him" said to her: "Have you gone the graveyard with them?" she said: "Allah forbid! Since I heard you having mentioned (such severe prevention) as you mentioned." On that he said: "Had you gone the graveyard with them..." and he made a mention of the severe forbiddance of that.

[27] Showing Patience At (The First Stroke Of The) Calamity

3124- It is narrated on the authority of Anas that he said: The Prophet "Allah's blessing and peace be upon him" passed by a woman who was weeping beside a grave. He told her to fear Allah and be patient. She said to him: "Go away, for you have not been afflicted with a disaster like mine." And she did not recognize him. Then she was informed that he was The Prophet "Allah's blessing and peace be upon him". So she went to the house of The Prophet "Allah's blessing and peace be upon him" where she did not find any guard. Then she said to him: "I did not recognize you." He said: "Verily, the patience is (rewardable only when it is shown) at the first stroke of a calamity."

[28] Weeping For The Dead

3125- It is narrated on the authority of Usamah Ibn Zaid that he said: The daughter of The Prophet "Allah's blessing and peace be upon him" sent (a courier) to The Prophet "Allah's blessing and peace be upon him", and I, Sa'd, and Ubai were with him, requesting him to come as her child was dying (or was gasping), but The Prophet "Allah's blessing and peace be upon him" returned the courier and told him to convey his greeting to her and say: "Whatever Allah takes is for Him and whatever He gives, is for Him, and everything with Him has a limited fixed term (in this world). So

[ت26/م21، 22] ـ باب التعزية

3123 ـ حدّثنا يَزِيدُ بنُ خَالِدِ بن عَبْدِ اللَّهِ بنِ مَوْهِبٍ الْهَمْدَانِيُّ قال: حدَّثنا الْمُفَضَّلُ، عن رَبِيعَةَ بن سَيْفٍ الْمَعَافِرِيِّ، عن أَبِي عَبْدِ الرَّحْمَنِ الْحُبُلِي، عن عَبْدِ اللَّهِ بنِ عَمْرِو بنِ الْعَاصِ قال: «قَبَرْنَا مَعَ رَسُولِ اللَّهِ ﷺ ـ يَعْنِي مَيِّتًا ـ فَلَمَّا فَرَغْنَا انْصَرَفَ رَسُولُ اللَّهِ ﷺ وَانْصَرَفْنَا مَعَهُ، فَلَمَّا حَاذَى بَابَهُ وَقَفَ، فَإِذَا نَحْنُ بِامْرَأَةٍ مُقْبِلَةٍ. قَالَ: أَظُنُّهُ عَرَفَهَا، فَلَمَّا ذَهَبَتْ إِذَا هِيَ فَاطِمَةُ عَلَيْهَا السَّلَامُ، فَقَالَ لَهَا رَسُولُ اللَّهِ ﷺ: **«مَا أَخْرَجَكِ يَا فَاطِمَةُ مِنْ بَيْتِكِ؟»** قَالَتْ: أَتَيْتُ يَا رَسُولَ اللَّهِ أَهْلَ هَذَا الْبَيْتِ فَرَحَّمْتُ إِلَيْهِمْ مَيِّتَهُمْ أَوْ عَزَّيْتُهُمْ بِهِ، فَقَالَ لَهَا رَسُولُ اللَّهِ ﷺ: **«فَلَعَلَّكِ بَلَغْتِ مَعَهُمُ الْكُدَى؟»** قَالَتْ: مَعَاذَ اللَّهِ، وَقَدْ سَمِعْتُكَ تَذْكُرُ فِيهَا مَا تَذْكُرُ. قَالَ: **«لَوْ بَلَغْتِ مَعَهُمُ الْكُدَىٰ»**، فَذَكَرَ تَشْدِيدًا فِي ذَلِكَ، فَسَأَلْتُ رَبِيعَةَ عَنِ الْكُدَىٰ فَقَالَ: الْقُبُورُ فِيمَا أَحْسِبُ».

[ت27/م22، 23] ـ باب الصبر عند المصيبة

3124 ـ حدّثنا مُحَمَّدُ بنُ الْمُثَنَّى: حدَّثنا عُثْمَانُ بنُ عُمَرَ: حدَّثنا شُعْبَةُ، عن ثَابِتٍ، عن أَنَسٍ قَالَ: أَتَى نَبِيُّ اللَّهِ ﷺ عَلَى امْرَأَةٍ تَبْكِي عَلَى صَبِيٍّ لَهَا، فَقَالَ لَهَا: **«اتَّقِي اللَّهَ وَاصْبِرِي»**، فَقَالَتْ وَمَا تُبَالِي أَنْتَ بِمُصِيبَتِي؟ فَقِيلَ لَهَا: هَذَا النَّبِيُّ ﷺ، فَأَتَتْهُ، فَلَمْ تَجِدْ عَلَى بَابِهِ بَوَّابِينَ، فَقَالَتْ: يَا رَسُولَ اللَّهِ لَمْ أَعْرِفْكَ، فَقَالَ: **«إِنَّمَا الصَّبْرُ عِنْدَ الصَّدْمَةِ الأُولَى»** أَوْ **«عِنْدَ أَوَّلِ صَدْمَةٍ»**.

حَدَّثنا مُحَمَّدُ بْنُ الْمُصَفَّى: حدثنا بقِيَّة، عن إسْمَاعيل بْن عَيَّاش، عن عَاصِمْ بْنِ رَجَاءِ بْن حَيْوَة، عن أبي عِمْرَانَ، عن أبي سَلَّام الحَبَشِيِّ، عن ابْنِ غَنْمٍ، عن أبي مُوسَى قال: سمعتُ رسول الله ﷺ يقول: **«الصَّبْرُ رضى»**.

[ت28/م23، 24] ـ باب في البكاء على الميت

3125 ـ حدّثنا أَبُو الْوَلِيدِ الطَّيَالِسِيُّ: حدَّثنا شُعْبَةُ، عن عَاصِمٍ الأَحْوَلِ، قَالَ: سَمِعْتُ أَبَا عُثْمَانَ، عن أُسَامَةَ بنِ زَيْدٍ: أَنَّ ابْنَةً لِرَسُولِ اللَّهِ ﷺ أَرْسَلَتْ إِلَيْهِ ـ وَأَنَا مَعَهُ وَسَعْدٌ وَأَحْسِبُ أُبَيًّا ـ أَنَّ ابْنِي أَوِ ابْنَتِي قَدْ حُضِرَ فَاشْهَدْنَا فَأَرْسَلَ يُقْرِئُ السَّلَامَ فَقَالَ: **«قُلْ لِلَّهِ مَا أَخَذَ وَمَا أَعْطَى وَكُلُّ شَيْءٍ عِنْدَهُ إِلَى**

she should be patient and hope for Allah's reward." She again sent for him, swearing that he should come. The Prophet "Allah's blessing and peace be upon him" got up and went to her. The child was brought and placed in the lap of to Allah's Apostle "Allah's blessing and peace be upon him" while his breath was disturbed in his chest (as if it was a leather water-skin). On that the eyes of The Prophet "Allah's blessing and peace be upon him" started shedding tears. Sa'd said: "O Allah's Apostle! What is this?" He replied: "It is mercy which Allah has lodged in the hearts of such of His slaves as He pleases, and Allah is merciful only to those of His slaves who are merciful (to others)."

3126- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Tonight, a child was born for me, and I gave him the name of my grandfather Abraham."...however, I was present when death was approaching him, while he was in the hands of the Messenger of Allah "Allah's blessing and peace be upon him". On that the eyes of the Messenger of Allah "Allah's blessing and peace be upon him" shed tears and he said: "The eyes are shedding tears and the heart is grieved, and we will not say but that which pleases our Lord, O Ibrahim ! Indeed we are grieved by your separation."

[29] What About Wailing (Over The Dead)?

3127- It is narrated on the authority of Umm Atiyyah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to wail (over the dead).

3128- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" sent his curse upon such of women as wails (over the dead) and such of women as pays attention to that.

3129- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The dead is punished for (his family's) wailing over him." A mention of that narration was made to A'ishah thereupon she said: Do you mean Ibn Umar? Indeed, the Messenger of Allah "Allah's blessing and peace be upon him" came upon the grave of a Jew whose family were wailing for him. On that he said: "Verily, his family are weeping for him, and he is being punished in the grave (because of such weeping)." Then, she recited: "And no soul of sin does bear the burden of another"

3130- It is narrated on the authority of Yazid Ibn Aws that he said: I came in to pay a visit to Abu Musa, who was fatally ill, which led him to

أَجَلٍ»، فَأَرْسَلَتْ تُقْسِمُ عَلَيْهِ، فَأَتَاهَا، فَوُضِعَ الصَّبِيُّ فِي حِجْرِ رَسُولِ اللَّهِ ﷺ وَنَفْسُهُ تَقَعْقَعُ، فَفَاضَتْ عَيْنَا رَسُولِ اللَّهِ ﷺ، فَقَالَ لَهُ سَعْدٌ: مَا هَذَا؟ قَالَ: «**إِنَّهَا رَحْمَةٌ وَضَعَهَا اللَّه فِي قُلُوبِ مَنْ يَشَاءُ، وَإِنَّمَا يَرْحَمُ اللَّهُ مِنْ عِبَادِهِ الرُّحَمَاءَ**».

3126 ـ حدّثنا شَيْبَانُ بنُ فَرُّوخ: حدَّثنا سُلَيْمَانُ بنُ الْمُغِيرَةِ، عنْ ثَابِتٍ الْبُنَانِيِّ، عنْ أَنَسِ بنِ مَالِكٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**وُلِدَ لِيَ اللَّيْلَةَ غُلاَمٌ فَسَمَّيْتُهُ بِاسْمِ أَبِي إِبْرَاهِيمَ**» فَذَكَر الْحَدِيثَ.

قَالَ أَنَسٌ: لَقَدْ رَأَيْتُهُ يَكِيدُ بِنَفْسِهِ بَيْنَ يَدَيْ رَسُولِ اللَّهِ ﷺ، فَدَمَعَتْ عَيْنَا رَسُولِ اللَّهِ ﷺ فَقَالَ: «**تَدْمَعُ الْعَيْنُ وَيَحْزَنُ الْقَلْبُ، وَلاَ نَقُولُ إِلاَّ مَا يَرْضَى رَبُّنَا، إِنَّا بِكَ يَا إِبْرَاهِيمَ لَمَحْزُونُونَ**».

[ت29/ م24، 25] ـ باب في النَّوح

3127 ـ حدّثنا مُسَدَّدٌ: حدَّثنا عَبْدُ الْوَارِثِ، عنْ أَيُّوبَ، عَنْ حَفْصَةَ، عن أُمِّ عَطِيَّةَ قَالَتْ: «إِنَّ رَسُولَ اللَّهِ ﷺ نَهَانَا عَنِ النِّيَاحَةِ».

3128 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى: حدَّثنا مُحَمَّدُ بنُ رَبِيعَةَ، عن مُحَمَّدِ بنِ الْحَسَنِ بنِ عَطِيَّةَ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قالَ: «لَعَنَ رَسُولُ اللَّهِ ﷺ النَّائِحَةَ وَالْمُسْتَمِعَةَ».

3129 ـ حدّثنا هَنَّادُ بنُ السَّرِيِّ، عن عَبْدَةَ وَأَبِي مُعَاوِيَةَ، الْمَعْنَى، عَنْ هِشَامِ بنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنِ ابْنِ عُمَرَ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ الْمَيِّتَ لَيُعَذَّبُ بِبُكَاءِ أَهْلِهِ عَلَيْهِ**»، فَذَكَرَ ذَلِكَ لِعَائِشَةَ فَقَالَتْ: وَهَلْ ـ تَعْنِي ابنَ عُمَرَ ـ إِنَّمَا مَرَّ النَّبِيُّ ﷺ عَلَى قَبْرٍ فَقَالَ: «**إِنَّ صَاحِبَ هَذَا لَيُعَذَّبُ وَأَهْلُهُ يَبْكُونَ عَلَيْهِ**»، ثُمَّ قَرَأَتْ: ﴿وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ﴾ [الإسراء: 15] قَالَ عَنْ أَبِي مُعَاوِيَةَ: «**عَلَى قَبْرِ يَهُودِيٍّ**».

3130 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا جَرِيرٌ، عَنْ مَنْصُورٍ، عن إِبْرَاهِيمَ، عَنْ يَزِيدَ بنِ أَوْسٍ قال: دَخَلْتُ عَلَى أَبِي مُوسَى وَهُوَ ثَقِيلٌ، فَذَهَبَتِ

fall unconscious. When his wife intended to weep, he said to her: "Do you not heard what the Messenger of Allah "Allah's blessing and peace be upon him" said?" she answered in the affirmative, and kept silent. After Abu Musa had died, I met the woman and said to her: "What has Abu Musa meant in his statement to you: "Do you not heard what the Messenger of Allah "Allah's blessing and peace be upon him" said" thereupon you kept silent?" she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as shaves his (or her) head, or cries loudly, or tears his (or her) garment at the calamity does not belong to us."

3131- It is narrated on the authority of Usaid Ibn Usaid from one of those women who gave the pledge of allegiance to the Messenger of Allah that she said: From amongst the things which the Messenger of Allah "Allah's blessing and peace be upon him" commanded us not to disobey him as far as they are concerned, is that we should not lacerate the face, nor invoke perdition, nor tear a pocket (of a garment), nor spread the hair (out of grief over the head).

[30] Making Food For The Family Of The Deceased

3132- It is narrated on the authority of Abdullah Ibn Ja'far that the Messenger of Allah "Allah's blessing and peace be upon him" said (to his wives): "Make food for the family of Ja'far, for they were seriously occupied (by his death) from making food for themselves."

[31] Should (The Dead Body Of) A Martyr Be Washed

3133- It is narrated on the authority of Jabir that he said: A man was thrown with an arrow in his breast or throat, which caused him to die immediately. He was wrapped in his garment as he was (and buried without being washed), and at that time we were with the Messenger of Allah "Allah's blessing and peace be upon him".

3134- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" ordered that these who were killed on the day of Uhud should be deprived of their armours and shields, and then buried in their blood and garments, without being washed.

3135- It is narrated on the authority of Anas Ibn Malik that the martyrs of (the holy battle of) Uhud were not washed, and rather were buried in their blood and garments, and no funeral prayer was offered on them.

3136- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" came upon

امْرَأَتُهُ لِتَبْكِيَ أَوْ تَهُمَّ بِهِ، فَقَالَ لَهَا أَبُو مُوسَى: أَمَا سَمِعْتِ مَا قَالَ رَسُولُ اللَّهِ ﷺ؟ قَالَتْ: بَلَى، قَالَ: فَسَكَتَتْ، قَالَ: فَلَمَّا مَاتَ أَبُو مُوسَى قَالَ يَزِيدُ: لَقِيتُ الْمَرْأَةَ فَقُلْتُ لَهَا قَوْلَ أَبِي مُوسَى لَكِ، أَمَا سَمِعْتِ مَا قَالَ رَسُولُ اللَّهِ ﷺ، ثُمَّ سَكَتٌّ، قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لَيْسَ مِنَّا مَنْ حَلَقَ وَمَنْ سَلَقَ وَمَنْ خَرَقَ**».

3131 ـ حدّثنا مُسَدَّدٌ: حدّثنا حُمَيْدُ بنُ الأَسْوَدِ: حدّثنا الْحَجَّاجُ عَامِلٌ لِعُمَرَ بنِ عَبْدِ الْعَزِيزِ عَلَى الرَّبَذَةِ قَالَ: حَدَّثَنِي أَسِيدُ بنُ أَبِي أَسِيدٍ، عن امْرَأَةٍ مِنَ الْمُبَايِعَاتِ قَالَتْ: «كَانَ فِيمَا أَخَذَ عَلَيْنَا رَسُولُ اللَّهِ ﷺ فِي الْمَعْرُوفِ الَّذِي أَخَذَ عَلَيْنَا أَنْ لاَ نَعْصِيهُ فِيهِ أَنْ لاَ نَخْمِشَ وَجْهًا وَلاَ نَدْعُو وَيْلاً، وَلاَ نَشُقَّ جَيْبًا، وَلاَ نَنْشُرَ شَعَرًا».

[ت30/م25، 26] ـ باب صنعة الطعام لأهل الميت

3132 ـ حدّثنا مُسَدَّدٌ: حدّثنا سُفْيَانُ: حَدَّثَنِي جَعْفَرُ بنُ خَالِدٍ، عَنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ بنِ جَعْفَرٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**اصْنَعُوا لآلِ جَعْفَرٍ طَعَامًا، فَإِنَّهُ قَدْ أَتَاهُمْ أَمْرٌ شَغَلَهُمْ**».

[ت31/م26، 27] ـ باب في الشهيد يغسل

3133 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا مَعْنُ بنُ عِيسَى. (ح)، وحدَّثنا عُبَيْدُ اللَّهِ بنُ عُمَرَ الْجُشَمِيُّ: أخبرنا عَبْدُ الرَّحْمَنِ بنُ مَهْدِيٍّ، عَنْ إِبْرَاهِيمَ بنِ طَهْمَانَ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ قَالَ: «رُمِيَ رَجُلٌ بِسَهْمٍ فِي صَدْرِهِ أَوْ فِي حَلْقِهِ فَمَاتَ فَأُدْرِجَ فِي ثِيَابِهِ كَمَا هُوَ. قَالَ: وَنَحْنُ مَعَ رَسُولِ اللَّهِ ﷺ».

3134 ـ حدّثنا زِيَادُ بنُ أَيُّوبَ وَعِيسَى بنُ يُونُسَ قَالاَ: حدَّثنا عَلِيُّ بنُ عَاصِمٍ، عن عَطَاءِ بنِ السَّائِبِ، عَنْ سَعِيدِ بنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ قَالَ: «أَمَرَ رَسُولُ اللَّهِ ﷺ بِقَتْلَى أُحُدٍ أَنْ يُنْزَعَ عَنْهُمُ الْحَدِيدُ وَالْجُلُودُ، وَأَنْ يُدْفَنُوا بِدِمَائِهِمْ وَثِيَابِهِمْ». وهذا لَفْظُ زياد.

3135 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ. (ح)، وحدَّثنا سُلَيْمَانُ بنُ دَاوُدَ الْمَهْرِيُّ: أَنْبَأَنَا ابنُ وَهْبٍ وَهَذَا لَفْظُهُ، قال: أخبرني أُسَامَةُ بنُ زَيْدٍ أَنَّ ابنَ شِهَابٍ أَخْبَرَهُ أَنَّ أَنَسَ بنَ مَالِكٍ حَدَّثَهُمْ: «أَنَّ شُهَدَاءَ أُحُدٍ لَمْ يُغَسَّلُوا وَدُفِنُوا بِدِمَائِهِمْ وَلَمْ يُصَلَّ عَلَيْهِمْ».

3136 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا زَيْدٌ ـ يَعْنِي ابنَ الْحُبَابِ ـ. (ح)، وَأخبرنا قُتَيْبَةُ بنُ سَعِيدٍ: حدثنا أَبُو صَفْوَانَ ـ يَعْنِي الْمَرْوَانِيَّ ـ، عن أُسَامَةَ، عن الزُّهْرِيِّ، عن أَنَسِ بنِ مَالِكٍ، الْمَعْنَى: «أَنَّ رَسُولَ اللَّهِ ﷺ مَرَّ عَلَى حَمْزَةَ وَقَدْ مُثِّلَ بِهِ

(the dead body of) Hamzah and it was mutilated, thereupon he said: "Had it not been for the fact that Safiyyah would feel it difficult upon herself, I would have left his body until the wild animals and bird would eat it, perchance he would be resurrected from their bellies. On that day, there were so many martyrs, and there was shortage of garments. So, a man, or two or even three would be shrouded in one garment, and buried in one grave. The Messenger of Allah "Allah's blessing and peace be upon him" used to ask about such of them as had much more Qur'an than the others, thereupon he would be moved forward to the direction of the Qiblah.

3137- It is narrated on the authority of Anas that the Messenger of Allah "Allah's blessing and peace be upon him" came upon (the dead body of) Hamzah, after having been mutilated, and he did offer no funeral prayer for anyone of the martyrs other than him.

3138- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" used to gather two (dead bodies) of those killed on the day of Uhud (in one grave), and ask: "Who of them had learnt Qur'an more?" whenever anyone of both was pointed out to him, he would bring him forward in the grave and say: "I will be witness to those on the Day of Judgement." He ordered that they should be buried in their blood, without being washed.

3139- The same is narrated on the authority of Al-Laith, in which he said: He gathered every two (dead bodies) of those killed on the day of Uhud in a single garment (as their shroud).

[32] Screening The Dead Body While Being Washed

3140- It is narrated on the authority of Ali that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not uncover your thigh, nor look at the thigh of anyone, be he living or dead."

3141- It is narrated on the authority of A'ishah that she said: When they intended to wash the (dead body of the) Messenger of Allah, they did not know whether they should deprive the Messenger of Allah "Allah's blessing and peace be upon him" of his garment as they used to do with their dead, or wash it while being covered by his garment. When they differed, they were overtaken by slumber to the extent that there was no one of them but that his chin got stuck to his chest. Then, a caller from the direction of the house, whom they could not recognize, told them to wash the (dead body of the) Messenger of Allah while having his garment over him. They got up and went direct to the Messenger of Allah "Allah's blessing and peace be upon him", and washed his body while having his

فَقَالَ: «**لَوْلاَ أَنْ تَجِدَ صَفِيَّةُ فِي نَفْسِهَا لَتَرَكْتُهُ حَتَّى تَأْكُلَهُ الْعَافِيَةُ حَتَّى يُحْشَرَ مِنْ بُطُونِهَا**»، وَقَلَّتِ الثِّيَابُ وَكَثُرَتِ الْقَتْلَى فَكَانَ الرَّجُلُ وَالرَّجُلاَنِ وَالثَّلاَثَةُ يُكَفَّنُونَ فِي الثَّوْبِ الْوَاحِدِ».

زَادَ قُتَيْبَةُ: ثُمَّ يُدْفَنُونَ فِي قَبْرٍ وَاحِدٍ، فَكَانَ رَسُولُ اللَّهِ ﷺ يَسْأَلُ: «**أَيُّهُمْ أَكْثَرُ قُرْآنًا**» فَيُقَدِّمَهُ إِلَى الْقِبْلَةِ.

3137 ـ حدّثنا عَبَّاسٌ الْعَنْبَرِيُّ: أخبرنا عُثْمَانُ بنُ عُمَرَ قَالَ: أخبرنا أُسَامَةُ، عن الزُّهْرِيِّ، عن أَنَسٍ: «أَنَّ النَّبِيَّ ﷺ مَرَّ بِحَمْزَةَ وَقَدْ مُثِّلَ بِهِ، وَلَمْ يُصَلِّ عَلَى أَحَدٍ مِنَ الشُّهَدَاءِ غَيْرِهِ».

3138 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ وَيَزِيدُ بنُ خَالِدِ بنِ مَوْهَبٍ أَنَّ اللَّيْثَ حَدَّثَهُمْ، عن ابنِ شِهَابٍ، عن عَبْدِ الرَّحْمَنِ بنِ كَعْبِ بنِ مَالِكٍ أَنَّ جَابِرَ بنَ عَبْدِ اللَّهِ أَخْبَرَهُ: «أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَجْمَعُ بَيْنَ الرَّجُلَيْنِ مِنْ قَتْلَى أُحُدٍ وَيَقُولُ: «**أَيُّهُمَا أَكْثَرُ أَخْذًا لِلْقُرْآنِ؟**»، فَإِذَا أُشِيرَ لَهُ إِلَى أَحَدِهِمَا قَدَّمَهُ فِي اللَّحْدِ، فَقَالَ: «**أَنَا شَهِيدٌ عَلَى هَؤُلاَءِ يَوْمَ الْقِيَامَةِ**» وَأَمَرَ بِدَفْنِهِمْ بِدِمَائِهِمْ وَلَمْ يُغَسَّلُوا».

3139 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ الْمَهْرِيُّ: حدَّثنا ابنُ وَهْبٍ، عن اللَّيْثِ بِهَذَا الْحَدِيثِ بِمَعْنَاهُ قال: «يَجْمَعُ بَيْنَ الرَّجُلَيْنِ مِنْ قَتْلَى أُحُدٍ فِي ثَوْبٍ وَاحِدٍ».

[ت32/م27، 28] ـ باب في ستر الميت عند غسله

3140 ـ حدّثنا عَلِيُّ بنُ سَهْلٍ الرَّمْلِيُّ: حدثنا حَجَّاجٌ، عن ابنِ جُرَيْجٍ قال: أُخْبِرْتُ عَنْ حَبِيبٍ عن ابنِ حَبِيبِ بنِ أَبِي ثَابِتٍ، عَنْ عَاصِمِ بنِ ضَمْرَةَ، عَنْ عَلِيٍّ أَنَّ النَّبِيَّ ﷺ قَالَ: «**لاَ تُبْرِزْ فَخِذَكَ وَلاَ تَنْظُرَنَّ إِلَى فَخِذِ حَيٍّ وَلاَ مَيِّتٍ**».

3141 ـ حدّثنا النُّفَيْلِيُّ: أخبرنا مُحَمَّدُ بنُ سَلَمَةَ، عن مُحَمَّدِ بنِ إِسْحَاقَ قَالَ: حَدَّثَنِي يَحْيَى بنُ عَبَّادٍ، عَنْ أَبِيهِ عَبَّادِ بنِ عَبْدِ اللَّهِ بنِ الزُّبَيْرِ قالَ: سَمِعْتُ عَائِشَةَ تَقُولُ: «لَمَّا أَرَادُوا غَسْلَ النَّبِيِّ ﷺ قَالُوا: وَاللَّهِ مَا نَدْرِي أَنُجَرِّدُ رَسُولَ اللَّهِ ﷺ مِنْ ثِيَابِهِ كَمَا نُجَرِّدُ مَوْتَانَا أَمْ نَغْسِلُهُ وَعَلَيْهِ ثِيَابُهُ؟ فَلَمَّا اخْتَلَفُوا أَلْقَى اللَّهُ عَلَيْهِمُ النَّوْمَ حَتَّى مَا مِنْهُمْ رَجُلٌ إِلاَّ وَذَقْنُهُ فِي صَدْرِهِ، ثُمَّ كَلَّمَهُمْ مُكَلِّمٌ مِنْ نَاحِيَةِ الْبَيْتِ لاَ يَدْرُونَ مَنْ هُوَ: أَنِ اغْسِلُوا النَّبِيَّ ﷺ وَعَلَيْهِ ثِيَابُهُ، فَقَامُوا إِلَى

shirt over him: they poured the water over the shirt, and rub his body from above the shirt, and their hands did not touch his skin. A'ishah further said: Had I know earlier what I've come to know later, none but his wives would have washed his body.

[33] How Should The Body Of A Dead Be Washed

3142- It is narrated on the authority of Umm Atiyyah that she said: Allah's Apostle "Allah's blessing and peace be upon him" came to us while we were washing the body of his daughter and said: "Wash her thrice or five times or more, if you see it necessary, with water and lote scent. Then apply camphor or some of it at the end. When you finish, notify me." So when we finished it, we informed him and he gave us his waist-sheet and told us to shroud the dead body in it.

3143- It is narrated on the authority of Umm Atiyyah that she said: We combed her hair and entwined it into three braids.

3144- It is narrated on the authority of Umm Atiyyah that she said: We entwined her hair into three braids, and placed them on her back, and on both sides of her head.

3145- It is narrated on the authority of Umm Atiyyah that the Messenger of Allah "Allah's blessing and peace be upon him" said to them pertaining to washing the dead body of his daughter: "Start with her right side in general, and with the parts of ablution in the body in particular."

3146- The same is narrated on the authority of Umm Atiyyah, through the same chain of transmitters, with the following addition: "Or (wash her) seven times if you see it more fitting."

3147- It is narrated on the authority of Umm Atiyyah that she said (pertaining to washing the body of the dead): Let it be washed (thrice) twice with the fused leaves of lot tree and the third with both water and camphor.

[34] What About The Shroud

3148- It is narrated on the authority of Jabir Ibn Abdullah that he related that the Messenger of Allah "Allah's blessing and peace be upon him" addressed the people one day, and made a mention of one of his companions who died, and was shrouded in a shroud, not long enough (to cover the whole of his body), and further was buried at night. On that the Messenger of Allah "Allah's blessing and peace be upon him" scolded the people to bury their dead at night in order (to give opportunity to much more men) to offer funeral prayer for him, unless there is severe necessity; and the Messenger of Allah "Allah's blessing and peace be upon him"

رَسُولِ اللَّهِ ﷺ فَغَسَلُوهُ وَعَلَيْهِ قَمِيصُهُ يَصُبُّونَ الْمَاءَ فَوْقَ الْقَمِيصِ وَيَدْلُكُونَهُ بِالْقَمِيصِ دُونَ أَيْدِيهِمْ.

وَكَانَتْ عَائِشَةُ تَقُولُ: لَوِ اسْتَقْبَلْتُ مِنْ أَمْرِي مَا اسْتَدْبَرْتُ مَا غَسَلَهُ إِلاَّ نِسَاؤُهُ».

[ت33/م28، 29] ـ باب كيف غسل الميت؟

3142 ـ حدّثنا الْقَعْنَبِيُّ، عَنْ مَالِكٍ. (ح)، وحدَّثنا مُسَدَّدٌ: حدثنا حَمَّادُ بنُ زَيْدٍ، المَعْنَى، عَنْ أَيُّوبَ، عن مُحَمَّدِ بنِ سِيرِينَ، عن أُمِّ عَطِيَّةَ قَالَتْ: دَخَلَ عَلَيْنَا رَسُولُ اللَّهِ ﷺ حِينَ تُوُفِّيَتِ ابْنَتُهُ فَقَالَ: «**اغْسِلْنَهَا ثَلاَثًا أَوْ خَمْسًا أَوْ أَكْثَرَ مِنْ ذَلِكَ إِنْ رَأَيْتُنَّ ذَلِكَ بِمَاءٍ وَسِدْرٍ وَاجْعَلْنَ فِي الآخِرَةِ كَافُورًا أَوْ شَيْئًا مِنْ كَافُورٍ، فَإِذَا فَرَغْتُنَّ فَآذِنَّنِي**»، فَلَمَّا فَرَغْنَا آذَنَّاهُ، فَأَعْطَانَا حَقْوَهُ، فَقَالَ: «**أَشْعِرْنَهَا إِيَّاهُ**».

قالَ أبو داود: قال مَالِكٌ: يَعْنِي إِزَارَهُ، وَلَمْ يَقُلْ مُسَدَّدٌ: «دَخَلَ عَلَيْنَا».

3143 ـ حدّثنا أَحْمَدُ بنُ عَبْدَةَ وَأَبُو كَامِلٍ بِمَعْنَى الإِسْنَادِ، أَنَّ يَزِيدَ بنَ زُرَيْعٍ حَدَّثَهُمْ، قَالَ: أَخْبَرَنَا أَيُّوبُ، عَنْ مُحَمَّدِ بنِ سِيرِينَ، عَنْ حَفْصَةَ أُخْتِهِ، عَنْ أُمِّ عَطِيَّةَ قَالَتْ: «مَشَطْنَاهَا ثَلاَثَةَ قُرُونٍ».

3144 ـ حدّثنا مُحَمَّدُ بنُ المُثَنَّى: حدَّثنا عَبْدُ الأَعْلَى: حدَّثنا هِشَامٌ، عن حَفْصَةَ بِنْتِ سِيرِينَ، عن أُمِّ عَطِيَّةَ قالَتْ: «وَضَفَرْنَا رَأْسَهَا ثَلاَثَةَ قُرُونٍ ثُمَّ أَلْقَيْنَاهَا خَلْفَهَا مُقَدَّمَ رَأْسِهَا وَقَرْنَيْهَا».

3145 ـ حدّثنا أَبُو كَامِلٍ، حدثنا إِسْمَاعِيلُ: حدَّثنا خَالِدٌ، عن حَفْصَةَ بِنْتِ سِيرِينَ، عن أُمِّ عَطِيَّةَ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ لَهُنَّ فِي غُسْلِ ابْنَتِهِ: «**ابْدَأْنَ بِمَيَامِنِهَا وَمَوَاضِعِ الْوُضُوءِ مِنْهَا**».

3146 ـ حدّثنا مُحَمَّدُ بنُ عُبَيْدٍ: حدَّثنا حَمَّادٌ، عَنْ أَيُّوبَ، عن مُحَمَّدٍ، عن أُمِّ عَطِيَّةَ بِمَعْنَى حَدِيثِ مَالِكٍ.

زَادَ فِي حَدِيثِ حَفْصَةَ عَنْ أُمِّ عَطِيَّةَ بِنَحْوِ هَذَا. وَزَادَتْ فِيهِ: «**أَوْ سَبْعًا أَوْ أَكْثَرَ مِنْ ذَلِكَ إِنْ رَأَيْتُنَّهُ**».

3147 ـ حدّثنا هُدْبَةُ بنُ خَالِدٍ: حدَّثنا هَمَّامٌ: حدَّثنا قَتَادَةُ، عن مُحَمَّدِ بنِ سِيرِينَ: «أَنَّهُ كَانَ يَأْخُذُ الْغُسْلَ عَنْ أُمِّ عَطِيَّةَ يَغْسِلُ بالسِّدْرِ مَرَّتَيْنِ وَالثَّالِثَةَ بِالْمَاءِ وَالْكَافُورِ».

[ت34/م29، 30] ـ باب في الكفن

3148 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا عَبْدُ الرَّزَّاقِ: أخبرنا ابنُ جُرَيْجٍ، عَنْ أَبِي الزُّبَيْرِ أَنَّهُ سَمِعَ جَابِرَ بنَ عَبْدِ اللَّهِ يُحَدِّثُ عَنِ النَّبِيِّ ﷺ أَنَّهُ خَطَبَ يَوْمًا فَذَكَرَ رَجُلاً مِنْ أَصْحَابِهِ قُبِضَ فَكُفِّنَ فِي كَفَنٍ غَيْرِ طَائِلٍ وَقُبِرَ لَيْلاً فَزَجَرَ النَّبِيُّ ﷺ أَنْ يُقْبَرَ الرَّجُلُ بِاللَّيْلِ

further said: "When anyone of you shroud his brother, let him make perfect his shroud."

3149- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" was shrouded in a Hibrah garment, and later it was put off him.

3150- It is narrated on the authority of Jabir Ibn Abdullah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "When anyone of you dies and he has enough wherewithal, let him be shrouded in a Hibrah garment."

3151- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" was shrouded in three white Yemenite garments, including neither shirt nor turban.

3152- A Hadith like this is narrated on the authority of Hisham Ibn Urwah from his father from A'ishah with the addition that they were of cotton. A mention was made to A'ishah of the fact that they were of two garments and Hibrah Burdah, thereupon she said: It is true that a Hibrah Burdah was brought, but they returned it, and did not shroud him in it.

3153- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" was shrouded in three Najrani garments: two of which the matching set consisted, in addition to the shirt in which he died.

Abu Dawud says: Uthman said in his narration: (He was shrouded in) three garments: A red matching set and his shirt in which he died.

[35] It Is Undesirable To Exceed The Due Limits In The Shroud

3154- It is narrated on the authority of Ali Ibn Abu Talib that he said: Do not exceed the due limits in the shroud, for I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Do not exceed the due limits concerning the shroud, for soon one will be deprived of it (when it is worn to shreds)."

3155- It is narrated on the authority of Khabbab that he said: Mus'ab Ibn Umair was martyred on the day (of the holy battle) of Uhud leaving a striped woollen cloak. When we covered his head with it, his feet became naked, and when we covered his feet, his head became naked. The Messenger of Allah "Allah's blessing and peace be upon him" ordered us to cover his head with it, and put (some grass of) Idhkhir over his feet.

حَتَّى يُصَلَّى عَلَيْهِ إِلاَّ أَنْ يَضْطَرَّ إِنْسَانٌ إِلَى ذَلِكَ، وَقَالَ النَّبِيُّ ﷺ: «**إِذَا كَفَّنَ أَحَدُكُمْ أَخَاهُ فَلْيُحْسِنْ كَفَنَهُ**».

3149 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: أخبرنا الْوَلِيدُ بنُ مُسْلِمٍ: أخبرنا الأَوْزَاعِيُّ: أخبرنا الزُّهْرِيُّ، عن الْقَاسِمِ بنِ مُحَمَّدٍ، عَنْ عَائِشَةَ قَالَتْ: «أُدْرِجَ رَسُولُ اللَّهِ ﷺ فِي ثَوْبِ حِبَرَةٍ ثُمَّ أُخِّرَ عَنْهُ».

3150 ـ حدّثنا الْحَسَنُ بنُ الصَّبَّاحِ الْبَزَّازُ: حدَّثنا إِسْمَاعِيلُ ـ يَعْنِي ابنَ عَبْدِ الْكَرِيمِ ـ: حَدَّثَنِي إِبْرَاهِيمُ بنُ عَقِيلِ بنِ مَعْقِلٍ، عَنِ أَبِيهِ، عَنْ وَهْبٍ ـ يَعْنِي ابنَ مُنَبِّهٍ ـ، عَنْ جَابِرٍ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِذَا تُوُفِّيَ أَحَدُكُمْ فَوَجَدَ شَيْئًا فَلْيُكَفَّنْ فِي ثَوْبِ حِبَرَةٍ**».

3151 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا يَحْيَى بنُ سَعِيدٍ، عن هِشَامٍ، قالَ: أَخْبَرَنِي أَبِي، قَالَ: أَخْبَرَتْنِي عَائِشَةُ قَالَتْ: «كُفِّنَ رَسُولُ اللَّهِ ﷺ فِي ثَلاَثَةِ أَثْوَابٍ يَمَانِيَةٍ بِيضٍ لَيْسَ فِيهَا قَمِيصٌ وَلاَ عِمَامَةٌ».

3152 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا حَفْصٌ، عَنْ هِشَامِ بنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ مِثْلَهُ. زَادَ: «مِنْ كُرْسُفٍ» قال: فَذُكِرَ لِعَائِشَةَ قَوْلُهُمْ: «فِي ثَوْبَيْنِ وَبُرْدِ حِبَرَةٍ» فَقَالَتْ: «قَدْ أُتِيَ بِالْبُرْدِ، وَلَكِنَّهُمْ رَدُّوهُ وَلَمْ يُكَفِّنُوهُ فِيهِ».

3153 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ وَعُثْمَانُ بنُ أَبِي شَيْبَةَ قَالاَ: أخبرنا ابنُ إِدْرِيسَ، عَنْ يَزِيدَ ـ يَعْنِي ابنَ أَبِي زِيَادٍ ـ، عن مِقْسَمٍ، عن ابنِ عَبَّاسٍ قال: «كُفِّنَ رَسُولُ اللَّهِ ﷺ فِي ثَلاَثَةِ أَثْوَابٍ نَجْرَانِيَّةٍ، الْحُلَّةُ ثَوْبَانِ، وَقَمِيصِهِ الَّذِي مَاتَ فِيهِ».

قال أَبُو دَاوُدَ: قال عُثْمَانُ: فِي ثَلاَثَةِ أَثْوَابٍ، حُلَّةٍ حَمْرَاءَ، وَقَمِيصِه الَّذِي مَاتَ فِيهِ.

[ت35/م30، 31] ـ باب كراهية المغالاة في الكفن

3154 ـ حدّثنا مُحَمَّدُ بنُ عُبَيْدٍ الْمُحَارِبِيُّ: حدَّثنا عَمْرُو بنُ هَاشِمٍ أَبُو مَالِكٍ الْجَنْبِيُّ، عَنْ إِسْمَاعِيلَ بنِ أَبِي خَالِدٍ، عَنْ عَامِرٍ، عن عَلِيِّ بنِ أَبِي طَالِبٍ قالَ: لاَ يُغَالَى فِي كَفَنٍ، فَإِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**لاَ تُغَالَوْا فِي الْكَفَنِ فَإِنَّهُ يُسْلَبُهُ سَلْبًا سَرِيعًا**».

3155 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُفْيَانُ، عن الأَعْمَشِ، عنْ أَبِي وَائِلٍ، عن خَبَّابٍ قال: إن مُصْعَبَ بنُ عُمَيْرٍ قُتِلَ يَوْمَ أُحُدٍ وَلَمْ يَكُنْ لَهُ إِلاَّ نَمِرَةٌ، كُنَّا إِذَا غَطَّيْنَا بِهَا رَأْسَهُ خَرَجَتْ رِجْلاَهُ، وَإِذَا غَطَّيْنَا رِجْلَيْهِ خرجَ رَأْسُهُ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**غَطُّوا بِهَا رَأْسَهُ وَاجْعَلُوا عَلَى رِجْلَيْهِ شَيْئًا مِنَ الإِذْخِرِ**».

3156- It is narrated on the authority of Ubadah Ibn As-Samit that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The best of shrouds is the matching set (consisting of two garments), and the best of sacrifices is the horned ram."

[36] The Woman's Shroud

3157- It is narrated on the authority of Nuh Ibn Hakim Ath-Thaqafi, and he was a reciter of the Qur'an, from one of the offspring of Urwah Ibn Mas'ud, called Dawud, whose mother was Umm Habibah Bint Abu Sufyan, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", from Laila Bint Qanif that she said: I was among the women who took part in washing the body of Umm Kulthum, the daughter of the Messenger of Allah "Allah's blessing and peace be upon him": the first thing he gave us was the waist sheet, then the breast sheet, then the face cover, then the quilt, and then she was shrouded in the other overall garment. At that time, the Messenger of Allah "Allah's blessing and peace be upon him" was sitting at the gate, having (the items of) her shroud, which he was giving to us one by one.

[37] What About Applying Musk To The Body Of The Dead

3158- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The most pleasant of your perfumes is the musk."

[38] The Exhortation To Hasten To Finish From The Funeral Ceremonies, And The Undesirability To Delay It

3159- It is narrated on the authority of Al-Hasin Ibn Wahwah that Talhah Ibn Al-Bara' fell ill, and the Messenger of Allah "Allah's blessing and peace be upon him" want to visit him and enquire about his health. He said: "I do not think but death has approached Talhah. So, when he really dies, inform me, and hasten to finish from the procession ceremonies, for it is not fitting for the carcass of a Muslim to remain among his people (for a long time)."

[39] Taking Bath From (The Traces Of) Washing The Dead Body

3160- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" used to take bath from four things: from ceremonial impurity, every Friday, from (the traces of) cupping, and from (the traces of) washing the dead body.

3161- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He,

3156 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حَدَّثَنِي ابنُ وَهْبٍ: حَدَّثَنِي هِشَامُ بنُ سَعْدٍ، عن حَاتِمِ بنِ أَبِي نَصْرٍ، عن عُبَادَةَ بنِ نُسَيٍّ، عن أَبِيهِ، عن عُبَادَةَ بنِ الصَّامِتِ، عن رَسُولِ اللَّهِ ﷺ قال: «**خَيْرُ الْكَفَنِ الْحُلَّةُ، وَخَيْرُ الأَضْحِيَةِ الْكَبْشُ الأَقْرَنُ**».

[ت36/ م31، 32] ـ باب في كفن المرأة

3157 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا يَعْقُوبُ بنُ إِبْرَاهِيمَ: حدَّثنا أَبِي، عَنِ ابنِ إِسْحَاقَ: حَدَّثَنِي نُوحُ بنُ حَكِيمٍ الثَّقَفِيُّ، وَكَانَ قَارِئًا لِلْقُرْآنِ، عَنْ رَجُلٍ مِنْ بَنِي عُرْوَةَ بنِ مَسْعُودٍ يُقَالُ لَهُ دَاوُدُ، قَدْ وَلَّدَتْهُ أُمُّ حَبِيبَةَ بِنْتُ أَبِي سُفْيَانَ زَوْجُ النَّبِيِّ ﷺ أَنَّ لَيْلَى بِنْتَ قَانِفٍ الثَّقَفِيَّةَ، قَالَتْ: «كُنْتُ فِيمَنْ غَسَّلَ أُمَّ كُلْثُوم ابْنَةَ رَسُولِ اللَّهِ ﷺ عِنْدَ وَفَاتِهَا، فَكَانَ أَوَّلُ مَا أَعْطَانَا رَسُولُ اللَّهِ ﷺ الْحِقَاءَ ثُمَّ الدِّرْعَ ثُمَّ الْخِمَارَ ثُمَّ الْمِلْحَفَةَ، ثُمَّ أُدْرِجَتْ بَعْدُ فِي الثَّوْبِ الآخرِ، قَالَتْ: وَرَسُولُ اللَّهِ ﷺ جَالِسٌ عِنْدَ الْبَابِ مَعَهُ كَفَنُهَا، يُنَاوِلُنَاهَا ثَوْبًا ثَوْبًا».

[ت37/ م32، 33] ـ باب في المسك للميت

3158 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: أخبرنا الْمُسْتَمِرُ بنُ الرَّيَّانِ، عن أَبِي نَضْرَةَ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**أَطْيَبُ طِيبِكُمُ الْمِسْكُ**».

[ت38/ م33، 34] ـ باب التعجيل بالجنازة وكراهية حبسها

3159 ـ حدّثنا عَبْدُ الرَّحِيمِ بنُ مُطَرِّفٍ الرُّوَّاسِيُّ أَبُو سُفْيَانَ وَأَحْمَدُ بنُ جَنَابٍ قالاَ: أَخبرنا عِيسَى ـ قال أَبُو دَاوُدَ: وَهُوَ ابْنُ يُونُسَ ـ عَنْ سَعِيدِ بنِ عُثْمَانَ الْبَلَوِيِّ، عن عَزْرَةَ، قَالَ عَبْدُ الرَّحِيمِ: عُرْوَةُ بنُ سَعِيدٍ الأَنْصَارِيُّ، عن أَبِيهِ، عَنْ الْحُصَيْنِ بنِ وَحْوَحٍ: أَنَّ طَلْحَةَ بنَ الْبَرَاءِ مَرِضَ فَأَتَاهُ النَّبِيُّ ﷺ يَعُودُهُ فَقَالَ: «**إِنِّي لاَ أُرَى طَلْحَةَ إِلاَّ قَدْ حَدَثَ فِيهِ الْمَوْتُ، فَآذِنُونِي بِهِ وَعَجِّلُوا، فَإِنَّهُ لاَ يَنْبَغِي لِجِيفَةِ مُسْلِمٍ أَنْ تُحْبَسَ بَيْنَ ظَهْرَانَيْ أَهْلِهِ**».

[ت39/ م34، 35] ـ باب في الغسل من غسل الميت

3160 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا مُحَمَّدُ بنُ بِشْرٍ: حدثنا زَكَرِيَّا: أَخبرنا مُصْعَبُ بنُ شَيْبَةَ، عن طَلْقِ بنِ حَبِيبٍ الْعَنَزِيِّ، عن عَبْدِ اللَّهِ بنِ الزُّبَيْرِ، عن عَائِشَةَ أَنَّهَا حَدَّثَتْهُ: «أَنَّ النَّبِيَّ ﷺ كَانَ يَغْتَسِلُ مِنْ أَرْبَعٍ: مِنَ الْجَنَابَةِ، وَيَوْمِ الْجُمُعَةِ، وَمِنَ الْحِجَامَةِ، وَغُسْلِ الْمَيِّتِ».

3161 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ أَبِي فُدَيْكٍ: حَدَّثَنِي ابنُ أَبِي ذِئْبٍ، عن الْقَاسِمِ بنِ عَبَّاسٍ، عن عَمْرِو بنِ عُمَيْرٍ، عن أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**مَنْ**

who takes part in washing a carcass, let him take a bath (to remove the traces of washing); and he, who takes part in carrying the dead body, let him perform ablution."

3162- The same is narrated on the authority of Abu Hurairah from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

Abu Dawud says: This (commandment implied in the narration) is abrogated, and I heard Ahmad Ibn Hanbal having said in reply to a question about taking bath to cleanse the traces of washing a carcass: "It is sufficient for him to perform ablution."

[40] Kissing The Dead

3163- It is narrated on the authority of A'ishah that she said: I saw the Messenger of Allah "Allah's blessing and peace be upon him" having kissed (the dead body of) Uthman Ibn Maz'un that I saw his tears flowing.

[41] What About Burying At Night

3164- It is narrated on the authority of Jabir Ibn Abdullah that he said: Some people saw fire in a graveyard, and when they came to it and behold! The Messenger of Allah "Allah's blessing and peace be upon him" was there, saying: "Bring to me (the dead body of) your companion (to bury him)." Behold! This man was the one who used to raise his voice with the celebration (of Allah Almighty).

[42] What About Carrying The Dead From A Region To Another, And What About The Undesirability Of That

3165- It is narrated on the authority of Jabir Ibn Abdullah that he said: We carried those killed (on the day) of Uhud in order to bury them and (while we were on the way) the caller of the Messenger of Allah "Allah's blessing and peace be upon him" made a public announcement: "Behold! The Messenger of Allah "Allah's blessing and peace be upon him" orders you to (return and) bury the dead bodies of) those killed in their lying places (where they had been killed)." So, we brought them back.

[43] Aligning In Rows To Perform The Funeral Prayer

3166- It is narrated on the authority of Malik Ibn Hubairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no Muslim dies, on whose dead body (no less than) three rows of Muslims perform the funeral prayer, but that the Garden will be assured to him." For this reason, whenever Malik regarded as a few in number those

غَسَّلَ المَيِّتَ فَلْيَغْتَسِلْ، وَمَنْ حَمَلَهُ فَلْيَتَوَضَّأْ».

3162 ـ حدّثنا حَامِدُ بنُ يَحْيَى، عن سُفْيَانَ، عن سُهَيْلِ بنِ أَبِي صَالِحٍ، عن أَبِيهِ، عن إِسْحَاقَ مَوْلَى زَائِدَةَ، عن أَبِي هُرَيْرَةَ، عن النَّبِيِّ ﷺ بِمَعْنَاهُ.

قال أَبُو دَاوُدَ: هَذَا مَنْسُوخٌ، وَسَمِعْتُ أَحْمَدَ بنَ حَنْبَلٍ، وَسُئِلَ عَنِ الْغُسْلِ مِنْ غُسْلِ المَيِّتِ فَقَالَ: يُجْزِيهِ الْوُضُوءُ.

قال أَبُو دَاوُدَ: أَدْخَلَ أَبُو صَالِحٍ بَيْنَهُ وَبَيْنَ أَبِي هُرَيْرَةَ فِي هَذَا الْحَدِيثِ ـ يَعْنِي إِسْحَاقَ مَوْلَى زَائِدَةَ ـ قال: وَحَدِيثُ مُصْعَبٍ ضَعِيفٌ فِيهِ خِصَالٌ لَيْسَ الْعَمَلُ عَلَيْهِ.

[ت40/م35، 36] ـ باب في تقبيل الميت

3163 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُفْيَانُ، عن عَاصِمِ بنِ عُبَيْدِ اللَّهِ، عن الْقَاسِمِ، عن عَائِشَةَ قَالَتْ: «رَأَيْتُ رَسُولَ اللَّهِ ﷺ يُقَبِّلُ عُثْمَانَ بنَ مَظْعُونٍ وَهُوَ مَيِّتٌ حَتَّى رَأَيْتُ الدُّمُوعَ تَسِيلُ».

[ت41/م36، 37] ـ باب في الدفن بالليل

3164 ـ حدّثنا مُحَمَّدُ بنُ حَاتِمِ بنِ بَزِيعٍ: حدثنا أَبُو نُعَيمٍ، عن مُحَمَّدِ بنِ مُسْلِمٍ، عن عَمْرِو بنِ دِينَارٍ قال: أخبرني جَابِرُ بنُ عَبْدِ اللَّهِ، أَوْ سَمِعْتُ جَابِرَ بنَ عَبْدِ اللَّهِ قال: «رَأَى نَاسٌ نَارًا فِي المَقْبَرَةِ فَأَتَوْهَا فَإِذَا رَسُولُ اللَّهِ ﷺ فِي الْقَبْرِ وَإِذَا هُوَ يَقُولُ: «**نَاوِلُونِي صَاحِبَكُمْ**»، فَإِذَا هُوَ الرَّجُلُ الَّذِي كَانَ يَرْفَعُ صَوْتَهُ بِالذِّكْرِ».

[ت42/م37، 38] ـ باب في الميت يُحْمَل من أَرض إلى أَرض وكراهة ذلك

3165 ـ -حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُفْيَانُ، عن الأَسْوَدِ بنِ قَيْسٍ، عن نُبَيْحٍ، عَنْ جَابِرِ بنِ عَبْدِ اللَّهِ قال: «كُنَّا حَمَلْنَا الْقَتْلَى يَوْمَ أُحُدٍ لِنَدْفِنَهُمْ فَجَاءَ مُنَادِي النَّبِيِّ ﷺ فَقَالَ: إِنَّ رَسُولَ اللَّهِ ﷺ يَأْمُرُكُمْ أَنْ تَدْفِنُوا الْقَتْلَى فِي مَضَاجِعِهِمْ، فَرَدَدْنَاهُمْ».

[ت43/م38، 39] ـ باب في الصفوف على الجنازة

3166 ـ حدّثنا مُحَمَّدُ بنُ عُبَيْدٍ: حدَّثنا حَمَّادٌ، عن مُحَمَّدِ بنِ إِسْحَاقَ، عن يَزِيدَ بنِ أَبِي حَبِيبٍ، عن مَرْثَدٍ الْيَزَنِيِّ، عن مَالِكِ بنِ هُبَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَا مِنْ مَيِّتٍ يَمُوتُ فَيُصَلِّي عَلَيْهِ ثَلاثَةُ صُفُوفٍ مِنَ المُسْلِمِينَ إِلاَّ**

(who were present to offer the funeral prayer), he would divide them into three rows, in observance of the narration.

[44] What About Women's Following The Funeral Procession

3167- It is narrated on the authority of Umm Atiyyah that she said: We (women) have been forbidden to follow the funeral procession, even though this (forbiddance) was not made binding upon us.

[45] The Excellence Of Offering Funeral Prayer And Sending Off The Dead

3168- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who accompanies a funeral procession will have (a reward as much as) a Qirat; and if he remains with it till the funeral prayer is offered and the burial ceremonies are over, will return with (a reward as much as) two Qirats, Each of which is as huge as The Mountain of Uhud."

3169- It is narrated on the authority of Dawud Ibn Amir Ibn Sa'd Ibn Abu Waqqas from his father that he was sitting in the house of Ibn Umar Ibn Al-Khattab when Khabbab, the one of the Maqsurah (a stone surrounded by walls), came and said: "O Abdullah Ibn Umar! Have you not heard what Abu Hurairah is relating? He (says that he) heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who accompanies a funeral procession from the house (of the dead) and offer the funeral prayer..."and the rest is the same." On that Ibn Umar sent (somebody) to A'ishah (to ask her about that narration), thereupon she said: "Abu Hurairah has told the truth."

3170- It is narrated on the authority of Ibn Abbas that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "There is no Muslim dies, whose funeral procession is undertaken by (no less than) forty men, who join nothing with Allah (in worship), but that they will be made to intercede for him (and bear witness to his faith)."

[46] What About Following The Dead With Fire

3171- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No sound nor fire should be made to follow the funeral procession."

Abu Dawud says: the following addition is made by Harun: "Nor should anything be made to walk ahead of it."

أَوْجَبَ». قَالَ: فَكَانَ مَالِكٌ إِذَا اسْتَقَلَّ أَهْلَ الْجَنَازَةِ جَزَّأَهُمْ ثَلاَثَةَ صُفُوفٍ لِلْحَدِيثِ.

[ت44/م39، 40] ـ باب اتباع النساء الجنازة

3167 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ: حدَّثنا حَمَّادٌ، عن أَيُّوبَ، عَنْ حَفْصَةَ، عن أُمِّ عَطِيَّةَ قَالَتْ: «نُهِينَا أَنْ نَتَّبِعَ الْجَنَائِزَ وَلَمْ يُعْزَمْ عَلَيْنَا».

[ت45/م40، 41] ـ باب فضل الصلاة على الجنازة وتشييعها

3168 ـ حدّثنا مُسَدَّدٌ: حدَّثنا سُفْيَانُ، عن سُمَيٍّ، عن أَبِي صَالِحٍ، عن أَبِي هُرَيْرَةَ يَرْوِيهِ قَالَ: «**مَنْ تبعَ جَنَازَةً فَصَلَّى عَلَيْهَا فَلَهُ قِيرَاطٌ، وَمَنْ تَبِعَهَا حَتَّى يُفْرَغَ مِنْهَا فَلَهُ قِيرَاطَانِ أَصْغَرُهُمَا مِثْلُ أُحُدٍ أَوْ أَحَدُهُمَا مِثْلُ أُحُدٍ**».

3169 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ وَعَبْدُ الرَّحْمَنِ بنُ حُسَيْنٍ الْهَرَوِيُّ قَالاَ: حدَّثنا الْمُقْرِىءُ: حدَّثنا حَيْوَةُ: حَدَّثَنِي أَبُو صَخْرٍ ـ وَهُوَ حُمَيْدُ بنُ زِيَادٍ ـ أَنَّ يَزِيدَ بنَ عَبْدِ اللَّهِ بنِ قُسَيْطٍ حَدَّثَهُ أَنَّ دَاوُدَ بنَ عَامِرِ بنِ سَعْدِ بنِ أَبِي وَقَّاصٍ حَدَّثَهُ عَنْ أَبِيهِ: «أَنَّهُ كَانَ عِنْدَ ابنِ عُمَرَ بنِ الْخَطَّابِ إِذْ طَلَعَ خَبَّابٌ صَاحِبُ الْمَقْصُورَةِ، فَقَالَ: يَا عَبْدَ اللَّهِ بنَ عُمَرَ أَلا تَسْمَعُ مَا يَقُولُ أَبُو هُرَيْرَةَ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنْ خَرَجَ مَعَ جَنَازَةٍ مِنْ بَيْتِهَا وَصَلَّى عَلَيْهَا**» فَذَكَرَ مَعْنَى حَدِيثِ سُفْيَانَ، فَأَرْسَلَ ابنُ عُمَرَ إِلَى عَائِشَةَ فَقَالَتْ: صَدَقَ أَبُو هُرَيْرَةَ».

3170 ـ حدّثنا الْوَلِيدُ بنُ شُجَاعٍ السَّكُونِيُّ: أخبرنا ابنُ وَهْبٍ: أخبرني أَبُو صَخْرٍ، عن شَرِيكِ بنِ عَبْدِ اللَّهِ بنِ أَبِي نَمِرٍ، عن كُرَيْبٍ، عن ابنِ عَبَّاسٍ قَالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «**مَا مِنْ مُسْلِمٍ يَمُوتُ فَيَقُومُ عَلَى جَنَازَتِهِ أَرْبَعُونَ رَجُلاً لاَ يُشْرِكُونَ بِاللَّهِ شَيْئًا إِلاَّ شُفِّعُوا فِيهِ**».

[ت46/م41، 42] ـ باب في النار يتبع بها الميت

3171 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ: حدَّثنا عَبْدُ الصَّمَدِ. (ح)، وحدَّثنا ابنُ الْمُثَنَّى: حدَّثنا أَبُو دَاوُدَ قالاَ: حدَّثنا حَرْبٌ ـ يَعْنِي ابنَ شَدَّادٍ ـ: حدَّثنا يَحْيَى: حَدَّثَنِي بابُ بنُ عُمَيْرٍ: حَدَّثَنِي رَجُلٌ مِنْ أَهْلِ الْمَدِينَةِ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ تُتْبَعُ الْجَنَازَةُ بِصَوْتٍ وَلاَ نَارٍ**».

قال أَبُو دَاوُدَ: زَادَ هَارُونُ: «**وَلاَ يُمْشَى بَيْنَ يَدَيْهَا**».

قال أَبُو دَاوُدَ: يعني يُمْشَى قُدَّام الجنازة لأَهْلِ الْمُصِيبَةِ الذين يَشُقُّون ثِيَابَهُمْ.

[47] Standing In Reverence Of The Funeral Procession

3172- It is narrated on the authority of Amir Ibn Rabie'ah, tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him", that he said: "When you see a funeral procession, stand up (in reverence of it) until it leaves you or until it (the bier) is placed down."

3173- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When you follow a funeral procession, do not sit until it (the bier) is placed."

Abu Dawud says: The same narration is transmitted on the authority of Abu Hurairah, in which he said: "Until it (the bier) is placed in the ground (or in the grave, according to another narration)."

3174- It is narrated on the authority of Jabir that he said: We were sitting with the Messenger of Allah "Allah's blessing and peace be upon him" when a funeral procession came upon us, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" stood up (in reverence) for it. When we stood and went to take part in carrying the bier, behold! It was the funeral procession of a Jew. We said: "O Messenger of Allah! It is the funeral procession of a Jew!" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, death (in general) is (one of the causes of) anxiety: so, when you see a funeral procession, you should stand (in reverence of it)."

3175- It is narrated on the authority of Ali Ibn Abu Talib that at first, it was the habit of the Messenger of Allah "Allah's blessing and peace be upon him" to stand up (in reverence) for the funeral processions; and later on, he stuck to sitting.

3176- It is narrated on the authority of Ubadah Ibn As-Samit that he said: It was the habit of the Messenger of Allah "Allah's blessing and peace be upon him" to remain standing during the funeral procession until the (dead body) would be placed in the grave. A Jewish rabbi passed by him (one day while he was standing in a funeral procession) and said: "We also do like this." From this time, the Messenger of Allah "Allah's blessing and peace be upon him" adhered to (the conduct of) sitting, and said: "Sit down, in opposition to those (Jews)."

[48] What About Riding During The Funeral Procession

3177- It I s narrated on the authority of Thawban that he said: A riding mount was brought to the Messenger of Allah "Allah's blessing and peace

[ت47/م42، 43] ـ باب القيام للجنازة

3172 ـ حدّثنا مُسَدَّدٌ: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، عن سَالِم، عن أَبِيهِ، عن عَامِرِ بنِ رَبِيعَةَ يَبْلُغُ بِهِ النَّبِيَّ ﷺ: «**إِذَا رَأَيْتُمُ الْجَنَازَةَ فَقُومُوا لَهَا حَتَّى تُخَلِّفَكُمْ أَوْ تُوْضَعَ**».

3173 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدثنا زُهَيْرٌ: حدثنا سُهَيْلُ بنُ أَبِي صَالِحٍ، عن ابنِ أَبِي سَعِيدٍ الْخُدْرِيِّ، عن أَبِيهِ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا تَبِعْتُمُ الْجَنَازَةَ فَلاَ تَجْلِسُوا حَتَّى تُوْضَعَ**».

قال أَبُو دَاوُدَ: رَوَى هَذَا الْحَدِيثَ الثَّوْرِيُّ، عَنْ سُهَيْلٍ، عَنْ أَبِيه، عَنْ أَبِي هُرَيْرَةَ قَالَ فِيهِ: حَتَّى تُوْضَعَ بالأَرْضِ. وَرَوَاهُ أَبُو مُعَاوِيَةَ عَنْ سُهَيْلٍ قَالَ فيه: حَتَّى تُوضَعَ فِي اللَّحْدِ.

قال أَبُو دَاوُدَ: وَسُفْيَانُ أَحْفَظُ مِنْ أَبِي مُعَاوِيَةَ.

3174 ـ حدّثنا مُؤَمَّلُ بنُ الْفَضْلِ الْحَرَّانِيُّ: حدَّثَنَا الْوَلِيدُ: حدثنا أَبُو عَمْرٍو، عن يَحْيَى بنِ أَبِي كَثِيرٍ، عَنْ عُبَيْدِ اللَّهِ بنِ مِقْسَم قَالَ: حَدَّثَنِي جَابِرٌ قال: كُنَّا مَعَ النَّبِيِّ ﷺ إِذْ مَرَّتْ بِنَا جَنَازَةٌ فَقَامَ لَهَا، فَلَمَّا ذَهَبْنَا لِنَحْمِلَ إِذَا هِيَ جَنَازَةُ يَهُودِيٍّ، فَقُلْنَا: يَا رَسُولَ اللَّهِ إِنَّمَا هِيَ جَنَازَةُ يَهُودِيٍّ، فَقَالَ: «**إِنَّ الْمَوْتَ فَزَعٌ، فَإِذَا رَأَيْتُم جَنَازَةً فَقُومُوا**».

3175 ـ حدّثنا الْقَعْنَبِيُّ، عَنْ مَالِكٍ، عن يَحْيَى بنِ سَعِيدٍ، عن وَاقِدِ بنِ عَمْرِو بنِ سَعْدِ بنِ مُعَاذٍ الأَنْصَارِيِّ، عَنْ نَافِعِ بنِ جُبَيْرِ بنِ مُطْعَم، عَنْ مَسْعودِ بنِ الْحَكَمِ، عَنْ عَلِيِّ بنِ أَبِي طَالِبٍ: «أَنَّ النَّبِيَّ ﷺ قَامَ فِي الْجَنَائِزِ ثُمَّ قَعَدَ بَعْدُ».

3176 ـ حدّثنا هِشَامُ بنُ بَهْرَامَ الْمَدَائِنِيُّ: أخبرنا حَاتِمُ بنُ إِسْمَاعِيلَ: حدَّثنا أَبُو الأَسْبَاطِ الْحَارِثِيُّ، عَنْ عَبْدِ اللَّهِ بنِ سُلَيْمَانَ بنِ جَنَادَةَ بنِ أَبِي أُمَيَّةَ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، عَنْ عُبَادَةَ بنِ الصَّامِتِ قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ يَقُومُ فِي الْجَنَازَةِ حَتَّى تُوضَعَ فِي اللَّحْدِ، فَمَرَّ بِهِ حَبْرٌ مِنَ الْيَهُودِ فَقَالَ: هَكَذَا نَفْعَلُ، فَجَلَسَ النَّبِيُّ ﷺ وَقَالَ: «**اجْلِسُوا خَالِفُوهُمْ**».

[ت48/م43، 44] ـ باب الرُّكُوب في الجنازة

3177 ـ حدّثنا يَحْيَى بنُ مُوسَى الْبَلْخِيُّ: أَخبرنا عَبْدُ الرَّزَّاقِ: أَخبرنا مَعْمَرٌ، عَنْ يَحْيَى بنِ كَثِيرٍ، عن أَبِي سَلَمَةَ بنِ عَبْدِ الرَّحْمَنِ بنِ عَوْفٍ، عن ثَوْبَانَ: أَنَّ رَسُولَ اللَّهِ ﷺ

be upon him" while he was following a funeral procession, and he refused to ride. When he turned away and it was brought to him, he rode it. When he was asked about the reason for that he said: "The angels were walking on foot, and I was not to ride while they were walking; and when they went away, I rode."

3178- It is narrated on the authority of Jabir Ibn Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer on Abu Ad-Dahdah and we were present. Then, a horse was brought to him, and it was tied until he rode it, and it went on leaning with him, and we were running around him.

[49] What About Walking In Front Of A Funeral Procession

3179- It is narrated on the authority of Salim from his father that he said: I saw the Messenger of Allah "Allah's blessing and peace be upon him", Abu Bakr and Umar having walked in front of the funeral procession.

3180- It is narrated on the authority of Al-Mughirah Ibn Shu'bah, and he traced it up to the Messenger of Allah "Allah's blessing and peace be upon him", that he said: "The rider should be only behind the funeral procession, but the walker on foot could march in front, behind, to the right, to the left, or even near it; and the fetus who came because of miscarriage should have funeral prayer offered on him, and his parents should receive invocation of Allah's Forgiveness and Mercy."

[50] You Should Hasten To Carry On The Funeral Procession

3181- It is narrated on the authority of Abu Hurairah that he said, tracing it to the Messenger of Allah "Allah's blessing and peace be upon him": "Hasten to carry on the funeral procession: if he (the dead) is good, then, a good (destiny) will it be that to which you are going to bring it forward; and if he is otherwise, then, evil it will be which you are going to put down your necks."

3182- It is narrated on the authority of Uyainah Ibn Abd Ar-Rahman from his father that he was in the funeral procession of Uthman Ibn Abu Al-As wand we were walking at a normal pace, and then Abu Bakrah joined us and raised his voice saying: "I saw us when we were (following the funeral procession) with the Messenger of Allah "Allah's blessing and peace be upon him" during which we were walking fast and about to lean (in order to bring it to the grave quickly)."

3183- The same is narrated on the authority of Uyainah, through the same chain of transmitters, in which he said: "And we were following the

أُتِيَ بِدَابَّةٍ وَهُوَ مَعَ الْجَنَازَةِ فَأَبَى أَنْ يَرْكَبَهَا فَلَمَّا انْصَرَفَ أُتِيَ بِدَابَّةٍ فَرَكِبَ، فَقِيلَ لَهُ، فَقَالَ: «**إِنَّ الْمَلَائِكَةَ كَانَتْ تَمْشِي فَلَمْ أَكُنْ لأَرْكَبَ وَهُمْ يَمْشُونَ فَلَمَّا ذَهَبُوا رَكِبْتُ**».

3178 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ مُعَاذٍ: أخبرنا أَبِي: حدَّثنا شُعْبَةُ، عَنْ سِمَاكٍ سَمِعَ جَابِرَ بنَ سَمُرَةَ قَالَ: «صَلَّى النَّبِيُّ ﷺ عَلَى ابنِ الدَّحْدَاحِ وَنَحْنُ شُهُودٌ، ثُمَّ أُتِيَ بِفَرَسٍ فَعُقِلَ حَتَّى رَكِبَهُ، فَجَعَلَ يَتَوَقَّصُ بِهِ وَنَحْنُ نَسْعَى حَوْلَهُ».

[ت49/م44، 45] ـ باب المشي أمام الجنازة

3179 ـ حدّثنا الْقَعْنَبِيُّ: حدَّثنا سُفْيَانُ بنُ عُيَيْنَةَ، عن الزُّهْرِيِّ، عن سَالِمٍ، عن أَبِيهِ قال: «رَأَيْتُ النَّبِيَّ ﷺ وَأَبَا بَكْرٍ وَعُمَرَ يَمْشُونَ أَمَامَ الْجَنَازَةِ».

3180 ـ حدّثنا وَهْبُ بنُ بَقِيَّةَ، عن خَالِدٍ، عن يُونُسَ، عن زِيَادِ بنِ جُبَيْرٍ، عن أَبِيهِ، عن المُغِيرَةِ بنِ شُعْبَةَ، قال: وَأَحْسَبُ أَنَّ أَهْلَ زِيَادٍ أخبروني أَنَّهُ رَفَعَهُ إِلَى النَّبِيِّ ﷺ قَالَ: «**الرَّاكِبُ يَسِيرُ خَلْفَ الْجَنَازَةِ وَالْمَاشِي يَمْشِي خَلْفَهَا وَأَمَامَهَا وَعَنْ يَمِينِهَا وَعَنْ يَسَارِهَا قَرِيبًا مِنْهَا، وَالسَّقْطُ يُصَلَّى عَلَيْهِ وَيُدْعَى لِوَالِدَيْهِ بالمَغْفِرَةِ وَالرَّحْمَةِ**».

[ت50/م45، 46] ـ باب الإسراع بالجنازة

3181 ـ حدّثنا مُسَدَّدٌ: أخبرنا سُفْيَانُ، عن الزُّهْرِيِّ، عَنْ سَعِيدِ بنِ المُسَيَّبِ، عن أَبِي هُرَيْرَةَ يَبْلُغُ بِهِ النَّبِيَّ ﷺ قَالَ: «**أَسْرِعُوا بِالْجَنَازَةِ فَإِنْ تَكُ صَالِحَةً فَخَيْرٌ تُقَدِّمُونَهَا إِلَيْهِ، وَإِنْ تَكُ سِوَى ذَلِكَ فَشَرٌّ تَضَعُونَهُ عَنْ رِقَابِكُمْ**».

3182 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدثنا شُعْبَةُ، عن عُيَيْنَةَ بنِ عَبْدِ الرَّحْمَنِ، عن أَبِيهِ: «أَنَّهُ كَانَ فِي جَنَازَةِ عُثْمَانَ بنِ أَبِي الْعَاصِ وَكُنَّا نَمْشِي مَشْيًا خَفِيفًا فَلَحِقَنَا أَبُو بَكْرَةَ فَرَفَعَ سَوْطَهُ فَقَالَ: لَقَدْ رَأَيْتُنَا وَنَحْنُ مَعَ رَسُولِ اللَّهِ ﷺ نَرْمُلُ رَمَلاً».

3183 ـ حدّثنا حُمَيْدُ بنُ مَسْعَدَةَ: حدَّثنا خَالِدُ بنُ الْحَارِثِ. (ح)، وحدَّثنا إِبْرَاهِيمُ بنُ مُوسَى: حدثنا عِيسَى ـ يَعْنِي ابنَ يُونُسَ ـ، عن عُيَيْنَةَ بِهَذَا الْحَدِيثِ

funeral procession of Abd Ar-Rahman Ibn Samurah." He also mentioned that he rushed towards them with his mule, striking it with the whip (in order to motivate it to run faster).

3184- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: We asked our Prophet about the speed of walking with the funeral procession, thereupon he said: "It should be at a quick pace: if it (the destiny of the dead) is good, you should hasten to bring him to it, and otherwise, then, how far the denizens of the fire be! Furthermore, the funeral procession should be followed, and it is not fitting to follow anyone, for there should be none to be ahead of it."

[51] The Imam Should Not Offer Funeral Prayer On Such As Commits Suicide

3185- It is narrated on the authority of Jabir Ibn Samurah that he said: A man fell ill and his family cried for him, and his neighbour came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "He died." The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "How has you come to know?" he said: "I've seen him (dead)." The Messenger of Allah "Allah's blessing and peace be upon him" said: "He has not died yet." He returned by the time his family had cried for him, thereupon he went once again to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "He died." The Messenger of Allah "Allah's blessing and peace be upon him" said: "He has not died yet." The man returned by the time his family had cried for him. His wife said to him: "Go and tell the Messenger of Allah "Allah's blessing and peace be upon him" (of his death by way of suicide)." The man said: "O Allah! Send Your Curse upon him!" the man went to him and found that he had slain himself with a blade. He went to the Messenger of Allah "Allah's blessing and peace be upon him" and said to him: "He died." The Messenger of Allah "Allah's blessing and peace be upon him" asked him: "How have you come to know?" he said: "I saw him having slain himself with a blade that was with him." The Messenger of Allah "Allah's blessing and peace be upon him" asked: "Have you really seen that by yourself?" the man answered in the affirmative. On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, I'm not going to offer the funeral prayer on him."

قَالاَ فِي جَنَازَةِ عَبْدِ الرَّحْمَنِ بنِ سَمُرَةَ قَالَ: «فَحَمَلَ عَلَيْهِمْ بَغْلَتَهُ وَأَهْوَى بالسَّوْطِ».

3184 ـ حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو عَوَانَةَ، عَنْ يَحْيَى الْمُجَبِّرِ قَالَ أَبُو دَاوُدَ: وَهُوَ يَحْيَى بنُ عَبْدِ اللَّهِ التَّيْمِيُّ ـ عن أَبِي مَاجِدَةَ، عَنْ ابنِ مَسْعُودٍ قَالَ: سَأَلْنَا نَبِيَّنَا ﷺ عَنِ الْمَشْيِ مَعَ الْجَنَازَةِ فَقَالَ: «**مَا دُونَ الْخَبَبِ، إِنْ يَكُنْ خَيْرًا تُعَجَّلْ إِلَيْهِ، وَإِنْ يَكُنْ غَيْرَ ذَلِكَ فَبُعْدًا لأَهْلِ النَّارِ، وَالْجَنَازَةُ مَتْبُوعَةٌ وَلاَ تُتْبَعُ، لَيْسَ مَعَهَا مَنْ تَقَدَّمَهَا**».

قال أَبُو دَاوُدَ: وَهُوَ ضَعِيفٌ، هُوَ يَحْيَى بنُ عَبْدِ اللَّهِ، وَهُوَ يَحْيَى الْجَابِرُ.

قال أَبُو دَاوُدَ: وَهَذَا كُوفِيٌّ، وَأَبُو مَاجِدَةَ بَصْرِيٌّ.

قال أَبُو دَاوُدَ: أَبُو مَاجِدَةَ هَذَا لاَ يُعْرَفُ.

[ت51/م46، 47] ـ باب الإمام لا يصلِّي على من قتل نفسه

3185 ـ حدّثنا ابنُ نُفَيْلٍ: حدَّثنا زُهَيْرٌ: حدَّثنا سِمَاكٌ: حدَّثَني جَابِرُ بنُ سَمُرَةَ قال: مَرِضَ رَجُلٌ فَصِيحَ عَلَيْهِ فَجَاءَ جَارُهُ إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَ لَهُ: إِنَّهُ قَدْ مَاتَ، قَالَ: «**وَمَا يُدْرِيكَ؟**» قال: أَنَا رَأَيْتُهُ. قَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّهُ لَمْ يَمُتْ**»، قَالَ: فَرَجَعَ فَصِيحَ عَلَيْهِ، فَقَالَتِ امْرَأَتُهُ: انْطَلِقْ إِلَى رَسُولِ اللَّهِ ﷺ فَأَخْبِرْهُ، فَقَالَ الرَّجُلُ: اللَّهُمَّ الْعَنْهُ، قال: ثُمَّ انْطَلَقَ الرَّجُلُ فَرَآهُ قَدْ نَحَرَ نَفْسَهُ بِمِشْقَصٍ مَعَهُ، فَانْطَلَقَ إِلَى النَّبِيِّ ﷺ فَأَخْبَرَهُ أَنَّهُ قَدْ مَاتَ، فَقَالَ: «**وَمَا يُدْرِيكَ؟**» قَالَ: رَأَيْتُهُ يَنْحَرُ نَفْسَهُ بِمَشَاقِصَ مَعَهُ، قَالَ: «**أَنْتَ رَأَيْتَهُ؟**» قال: نَعَمْ، قَالَ: «**إِذًا لاَ أُصَلِّي عَلَيْهِ**».

[52] Offering Funeral Prayer On Such As Killed In Execution Of A Legal Punishment

3186- It is narrated on the authority of Abu Barzah Al-Aslami that the Messenger of Allah "Allah's blessing and peace be upon him" did not offer funeral prayer on Ma'iz Ibn Malik, but at the same time, he did not forbid people to offer funeral prayer on him.

[53] Offering Funeral Prayer On The Child

3187- It is narrated on the authority of A'ishah that she said: Ibrahim, the son of the Messenger of Allah "Allah's blessing and peace be upon him" died when he was still eighteen months old, and the Messenger of Allah "Allah's blessing and peace be upon him" offered no funeral prayer on him.

3188- It is narrated on the authority of Al-Bahi that he said: When Ibrahim, the son of the Messenger of Allah "Allah's blessing and peace be upon him" died, the Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer on him at Al-Maqa'id (a place next to the mosque of Medina).

It is narrated on the authority of Ata' that the Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer on his son Ibrahim (when he died) after the life of seventy nights.

[54] Offering The Funeral Prayer In The Mosque

3189- It is narrated on the authority of A'ishah that she said: By Allah, the Messenger of Allah "Allah's blessing and peace be upon him" did not offer the funeral prayer upon Suhail Ibn Baida' but in the mosque.

3190- It is narrated on the authority of A'ishah that she said: By Allah, the Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer upon both sons of Baida' in the mosque, i.e. Suhail and his brother.

3191- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who offers the funeral prayer in the mosque, receives nothing."

[55] Burying At Sunrise And Sunset

3192- It is narrated on the authority of Uqbah Ibn Amir Al-Juhani that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to offer prayer or bury our dead persons in three hours (of the day): before the sun rises clearly, when the shadow seems standing at noon

[ت52/م47، 48] ـ باب الصلاة على من قتلته الحدود

3186 ـ حدّثنا أَبُو كَامِلٍ: حدَّثنا أَبُو عَوَانَةَ، عن أَبِي بِشْرٍ قال: حَدَّثَنِي نَفَرٌ مِنْ أَهْلِ الْبَصْرَةِ، عن أَبِي بَرْزَةَ الأَسْلَمِيِّ: «أَنَّ رَسُولَ اللَّهِ ﷺ لَمْ يُصَلِّ عَلَى مَاعِزِ بنِ مَالِكٍ وَلَمْ يَنْهَ عن الصَّلاَةِ عَلَيْهِ».

[ت53/م48، 49] ـ باب في الصلاة على الطفل

3187 ـ حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَارِسَ: حدَّثنا يَعْقُوبُ بنُ إِبْرَاهِيمَ بنِ سَعْدٍ: أخبرني أبي، عن ابنِ إِسْحَاقَ، حَدَّثَنِي عَبْدُ اللَّهِ بنُ أبي بَكْرٍ، عن عَمْرَةَ بِنْتِ عَبْدِ الرَّحْمَنِ، عن عَائِشَةَ قَالَتْ: «مَاتَ إِبْرَاهِيمُ ابنُ النَّبِيِّ ﷺ وَهُوَ ابنُ ثَمَانِيَةَ عَشَرَ شَهْرًا فَلَمْ يُصَلِّ عَلَيْهِ رَسُولُ اللَّهِ ﷺ».

3188 ـ حدّثنا هَنَّادُ بنُ السَّرِيِّ: حدَّثنا مُحَمَّدُ بنُ عُبَيْدٍ، عن وَائِلِ بنِ دَاوُدَ قال: سَمِعْتُ الْبَهِيَّ قال: «لَمَّا مَاتَ إِبْرَاهِيمُ ابنُ النَّبِيِّ ﷺ صَلَّى عَلَيْهِ رَسُولُ اللَّهِ ﷺ فِي المَقَاعِدِ».

قال أَبُو دَاوُدَ: قَرَأْتُ عَلَى سَعِيدِ بنِ يَعْقُوبَ الطَّالَقَانِيِّ قِيلَ لَهُ: حَدَّثَكُمُ ابنُ المُبَارَكِ، عَنْ يَعْقُوبَ بنِ الْقَعْقَاعِ، عن عَطَاءٍ: «أَنَّ النَّبِيَّ ﷺ صَلَّى عَلَى ابْنِهِ إِبْرَاهِيمَ وَهُوَ ابنُ سَبْعِينَ لَيْلَةً؟».

[ت54/م49، 50] ـ باب الصلاة على الجنازة في المسجد

3189 ـ حدّثنا سَعِيدُ بنُ مَنْصُورٍ: حدَّثنا فُلَيْحُ بنُ سُلَيْمَانَ، عن صَالِحِ بنِ عَجْلاَنَ وَمُحَمَّدِ بنِ عَبْدِ اللَّهِ بنِ عَبَّادٍ، عن عَبَّادِ بنِ عَبْدِ اللَّهِ بنِ الزُّبَيْرِ، عن عَائِشَةَ قَالَتْ: «واللَّهِ مَا صَلَّى رَسُولُ اللَّهِ ﷺ عَلَى سُهَيْلِ بنِ الْبَيْضَاءِ إلاَّ فِي الْمَسْجِدِ».

3190 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ: حدَّثنا ابنُ أَبِي فُدَيْكٍ، عن الضَّحَّاكِ ـ يَعْنِي ابنَ عُثْمَانَ ـ، عن أَبِي النَّضْرِ، عن أَبِي سَلَمَةَ، عَنْ عَائِشَةَ قَالَتْ: «وَاللَّهِ لَقَدْ صَلَّى رَسُولُ اللَّهِ ﷺ عَلَى ابْنَيْ بَيْضَاءَ فِي الْمَسْجِدِ سُهَيْلٍ وَأَخِيهِ».

3191 ـ حدّثنا مُسَدَّدٌ: حَدَّثنا يَحْيَى، عن ابنِ أَبِي ذِئْبٍ: حدَّثَنِي صَالِحٌ مَوْلَى التَّوْأَمَةِ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ صَلَّى عَلَى جَنَازَةٍ فِي الْمَسْجِدِ فَلاَ شَيْءَ عَلَيْهِ**».

[ت55/م50، 51] ـ باب الدفن عند طلوع الشمس وعِنْدَ غروبها

3192 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا وَكِيعٌ: حدَّثنا مُوسَى بنُ عُلَيِّ بنِ رَبَاحٍ قال: سَمِعْتُ أَبِي يُحَدِّثُ أَنَّهُ سَمِعَ عُقْبَةَ بنَ عَامِرٍ قال: «ثَلاَثُ سَاعَاتٍ كَانَ رَسُولُ اللَّهِ ﷺ يَنْهَانَا أَنْ نُصَلِّيَ فِيهِنَّ أَوْ نَقْبُرَ فِيهِنَّ مَوْتَانَا: حِينَ تَطْلُعُ الشَّمْسُ بَازِغَةً حَتَّى تَرْتَفِعَ، وَحِينَ

(i.e. when the sun becomes in the middle of the sky) until it passes the meridian, and when it (the sun) inclines to set until it sets (completely).

[56] When The Funeral Implies Men And Women: Which Of Both Should Be Forwarded

3193- It is narrated on the authority of Ammar, the freed slave of Al-Harith Ibn Nawfal that he said: I attended the funeral prayer of Umm Kulthum and her child, and the (dead body of the) boy was placed just next to the imam. I rejected that conduct, and in the people, there were (such glorious companions as) Ibn Abbas, Abu Sa'id Al-Khudri, Abu Qatadah, and Abu Hurairah, who said: "This is out of the sunnah."

[57] Where Should Be The Standing Position Of The Imam From The Dead Body On Offering The Funeral Prayer

3194- It is narrated on the authority of Nafi': Abu Ghalib that he said: I was on the way of Mirbad when a funeral procession passed by me, having multitudes of people, and it was said that this was the funeral procession of Abdullah Ibn Umair, and I followed it, and behold! I saw a man having a light cover and he was riding a workhorse, and there was a piece of clothing over his head, to protect him from the (heat of the) sun. I asked about his identity, and it was said to me that he was Anas Ibn Malik. When the dead body was placed, Anas stood and led the funeral prayer on it, and I stood behind him, with nothing between me and him. He stood by his head, and recited four Takbirs, without prolonging nor shortening (the intervals between them). When he (finished and) went to sit down, it was said to him: "O Abu Hamzah! (Offer the funeral prayer on) the Ansari woman!" she was brought with her green bier, and he stood by the side of the lower part of her back, and offered the funeral prayer on her, which was similar to that he offered on the man, after which he sat down. Al-Ala' Ibn Ziyad said to him: "O Abu Hamzah! Did the Messenger of Allah "Allah's blessing and peace be upon him" use to do the same as you did whenever he offered the funeral prayer? In other words, did he use to recite four Takbirs, stand by the side of the head of the man, and the lower portion of the back of the woman?" he answered in the affirmative. He further asked: "O Abu Hamzah! Have you taken part in any holy battle with the Messenger of Allah "Allah's blessing and peace be upon him"?" he said: "Yes. I took part with him in the holy battle of Hunain: when we set out, the pagans attacked us by surprise so much that we came to see our horsemen behind our backs, and among the people, there was a man who went on attacking and destroying us. But Allah Almighty defeated him, and they were brought in groups to give the pledge of allegiance for Islam. One from amongst the

يَقُومُ قَائِمُ الظَّهِيرَةِ حَتَّى تَمِيلَ، وَحِينَ تَضَيَّفُ الشَّمْسُ لِلْغُرُوبِ حَتَّى تَغْرُبَ أَوْ كَمَا قَالَ.

[ت56/م0، 52] ـ باب إذا حضر جنائز رجال ونساء من يُقدِّم؟

3193 ـ حدّثنا يَزِيدُ بنُ خَالِدِ بنِ مَوْهِبٍ الرَّمْلِيُّ: حدَّثنا ابنُ وَهْبٍ، عن ابنِ جُرَيْجٍ، عن يَحْيَى بنِ صُبَيْحٍ قال: حَدَّثَنِي عَمَّارٌ مَوْلَى الْحَارِثِ بنِ نَوْفَلٍ أَنَّهُ شَهِدَ جَنَازَةَ أُمِّ كُلْثُومٍ وَابْنِهَا، فَجُعِلَ الْغُلاَمُ مِمَّا يَلِي الإمَامَ، فَأَنْكَرْتُ ذَلِكَ وَفِي الْقَوْمِ ابنُ عَبَّاسٍ وَأَبُو سَعِيدٍ الْخُدْرِيُّ وَأَبُو قَتَادَةَ وَأَبُو هُرَيْرَةَ، فَقَالُوا: «هَذِهِ السُّنَّةُ».

[ت57/م51، 53] ـ باب أين يقوم الإمام من الميت إذا صلّى عليه؟

3194 ـ حدّثنا دَاوُدُ بنُ مُعَاذٍ: حدثنا عَبْدُ الْوَارِثِ، عن نَافِعٍ أَبِي غَالِبٍ قَالَ: كُنْتُ فِي سِكَّةِ المِرْبَدِ فَمَرَّتْ جَنَازَةٌ وَمَعَهَا نَاسٌ كَثِيرٌ قَالُوا: جَنَازَةُ عَبْدِ اللَّهِ بنِ عُمَيْرٍ فَتَبِعْتُهَا فَإِذَا أَنَا بِرَجُلٍ عَلَيْهِ كِسَاءٌ رَقِيقٌ عَلَى بُرَيْذِينَتِهِ وَعَلَى رَأْسِهِ خِرْقَةٌ تَقِيهِ مِنَ الشَّمْسِ، فَقُلْتُ: مَنْ هَذَا الدِّهْقَانُ؟ قَالُوا: هَذَا أَنَسُ بنُ مَالِكٍ، فَلَمَّا وُضِعَتِ الْجَنَازَةُ قَامَ أَنَسٌ فَصَلَّى عَلَيْهَا وَأَنَا خَلْفَهُ لاَ يَحُولُ بَيْنِي وَبَيْنَهُ شَيْءٌ، فَقَامَ عِنْدَ رَأْسِهِ فَكَبَّرَ أَرْبَعَ تَكْبِيرَاتٍ لَمْ يُطِلْ وَلَمْ يُسْرِعْ ثُمَّ ذَهَبَ يَقْعُدُ، فَقَالُوا: يَا أَبُو حَمْزَةَ الْمَرْأَةُ الأَنْصَارِيَّةُ، فَقَرَّبُوهَا وَعَلَيْهَا نَعْشٌ أَخْضَرُ، فَقَامَ عِنْدَ عَجِيْزَتِهَا فَصَلَّى عَلَيْهَا نَحْوَ صَلاَتِهِ عَلَى الرَّجُلِ ثُمَّ جَلَسَ.

فَقَالَ الْعَلاَءُ بنُ زِيَادٍ: يَا أَبَا حَمْزَةَ هَكَذَا كَانَ رَسُولُ اللَّهِ ﷺ يُصَلِّي عَلَى الْجَنَازَةِ كَصَلاَتِكَ، يُكَبِّرُ عَلَيْهَا أَرْبَعًا وَيَقُومُ عِنْدَ رَأْسِ الرَّجُلِ وَعَجِيزَةِ الْمَرْأَةِ؟ قال: نَعَمْ.

قالَ: يَا أَبَا حَمْزَةَ غَزَوْتَ مَعَ رَسُولِ اللَّهِ ﷺ؟ قَالَ: نَعَمْ غَزَوْتُ مَعَهُ حُنَيْنًا فَخَرَجَ الْمُشْرِكُونَ فَحَمَلُوا عَلَيْنَا حَتَّى رَأَيْنَا خَيْلَنَا وَرَاءَ ظُهُورِنَا وَفِي الْقَوْمِ رَجُلٌ يَحْمِلُ عَلَيْنَا فَيَدُقُّنَا وَيَحْطِمُنَا، فَهَزَمَهُمُ اللَّهُ وَجَعَلَ يُجَاءُ بِهِمْ فَيُبَايِعُونَهُ عَلَى

companions of the Messenger of Allah "Allah's blessing and peace be upon him" said: "I've vowed that if Allah Almighty has caused such a man as went on destroying us on that very day to come to us, I would chop off his head." The Messenger of Allah "Allah's blessing and peace be upon him" kept silent; and later on, such a man was brought, and when he saw the Messenger of Allah "Allah's blessing and peace be upon him", he said: "I've turned to Allah in repentance." The Messenger of Allah "Allah's blessing and peace be upon him" kept from accepting the pledge of allegiance from him, perchance the other (from amongst his companion) might fulfill his vow. The man kept facing the Messenger of Allah "Allah's blessing and peace be upon him", perchance he would order him to kill the pagan, and at the same time, he feared to kill him (without permission from) the Messenger of Allah "Allah's blessing and peace be upon him". When the Messenger of Allah "Allah's blessing and peace be upon him" saw that he did nothing, he accepted the pledge of allegiance from the pagan. The man cried: "What about my vow O Messenger of Allah?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "I did not withhold from (accepting the pledge of allegiance) from him but to give you opportunity to fulfill your vow." The man said: "O Messenger of Allah! Why have you not made a gesture to me with the help of your eye?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is not fitting for a Prophet to make a gesture with his eyes." Abu Ghalib further said: I asked about the reason why Anas stood in his funeral prayer by the side of the lower part of the back of the woman, and they told me that since there were no biers, it was the habit of the imam to stand facing the lower part of a woman's back in order to screen her from the (sight of the) people.

Abu Dawud says: The statement of the Messenger of Allah "Allah's blessing and peace be upon him" I've been commanded (by Allah) to fight the people until they bear testimony to the fact that there is no god (to be worshipped) but Allah" abrogated the commandment of fulfilling such vows as implied here in this narration.

3195- It is narrated on the authority of Samurah Ibn Jundub that he said: I offered the funeral prayer behind the Messenger of Allah "Allah's blessing and peace be upon him" on a woman who died during the period of her postpartum; and he stood by the middle of her body.

[58] Reciting Takbir On (The Dead Body In The) Grave

3196- It is narrated on the authority of Ash-Sha'bi that once, the Messenger of Allah "Allah's blessing and peace be upon him" came upon a

الإِسْلَامِ، وَقَالَ رَجُلٌ مِنْ أَصْحَابِ النَّبِيِّ ﷺ: إِنَّ عَلَيَّ نَذْرًا إِنْ جَاءَ اللَّه بالرَّجُلِ الَّذِي كَانَ مُنْذُ الْيَوْمِ يَحْطِمُنَا لأَضْرِبَنَّ عَنُقَهُ، فَسَكَتَ رَسُولُ اللَّهِ ﷺ وَجِيءَ بالرَّجُلِ، فَلَمَّا رَأَى رَسُولَ اللَّهِ ﷺ قَالَ: يَا رَسُولَ اللَّهِ تُبْتُ إِلَى اللَّهِ، فَأَمْسَكَ رَسُولُ اللَّهِ ﷺ لاَ يُبَايِعُهُ لِيَفِيَ الآخَرُ بِنَذْرِهِ.

قَالَ: فَجَعَلَ الرَّجُلُ يَتَصَدَّى لِرَسُولِ اللَّهِ ﷺ لِيَأْمُرَهُ بِقَتْلِهِ، وَجَعَلَ يَهَابُ رَسُولَ اللَّهِ ﷺ أَنْ يَقْتُلَهُ، فَلَمَّا رَأَى رَسُولُ اللَّهِ ﷺ أَنَّهُ لاَ يَصْنَعُ شَيْئًا بَايَعَهُ، فَقَالَ الرَّجُلُ: يَا رَسُولَ اللَّهِ نَذْرِي، قالَ: «**إِنِّي لَمْ أُمْسِكْ عَنْهُ مُنْذُ الْيَوْمِ إِلاَّ لِتُوفِي بِنَذْرِكَ**»، فَقَالَ: يَا رَسُولَ اللَّهِ أَلاَ أَوْمَضْتَ إِلَيَّ؟ فَقَالَ النَّبِيُّ ﷺ: «**إِنَّهُ لَيْسَ لِنَبِيٍّ أَنْ يُوْمِضَ**».

قال أَبُو غَالِبٍ: فَسَأَلْتُ عَنْ صَنِيعِ أَنَسٍ فِي قِيَامِهِ عَلَى الْمَرْأَةِ عِنْدَ عَجِيزَتِهَا، فَحَدَّثُونِي أَنَّهُ إِنَّمَا كَانَ، لأَنَّهُ لَمْ تَكُنِ النُّعُوشُ فَكَانَ الإِمَامُ يَقُومُ حِيَالَ عَجِيزَتِهَا يَسْتُرُهَا مِنَ الْقَوْمِ.

قال أَبُو دَاوُدَ: قَوْلُ النَّبِيِّ ﷺ: «**أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لاَ إِلَهَ إِلاَّ اللَّه**» نُسِخَ مِنْ هَذَا الْحَدِيثِ الْوَفَاءُ بالنَّذْرِ فِي قَتْلِهِ، بِقَوْلِهِ: إِنِّي قَدْ تُبْتُ.

3195 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَزِيدُ بنُ زُرَيْعٍ: حدَّثنا حُسَيْنٌ الْمُعَلِّمُ: حدَّثنا عَبْدُ اللَّهِ بنُ بُرَيْدَةَ، عن سَمُرَةَ بنِ جُنْدَبٍ قال: «صَلَّيْتُ وَرَاءَ النَّبِيِّ ﷺ عَلَى امْرَأَةٍ مَاتَتْ فِي نِفَاسِهَا، فَقَامَ عَلَيْهَا لِلصَّلاَةِ وَسَطَهَا».

[ت58/م52، 54] ـ باب التكبير على الجنازة

3196 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ قال: أخبرنا ابنُ إِدْرِيسَ قَالَ: سَمِعْتَ أَبَا إِسْحَاقَ، عن الشَّعْبِيِّ: «أَنَّ رَسُولَ اللَّهِ ﷺ مَرَّ بِقَبْرٍ رَطْبٍ فَصَفُّوا عَلَيْهِ وَكَبَّرَ

grave having a newly buried one, thereupon they aligned and the Messenger of Allah "Allah's blessing and peace be upon him" (led the funeral prayer in which he) recited four Takbirs. I (the sub-narrator) said: I asked Ash-Sha'bi: "Who did relate this narration to you?" he said: "The reliable one who witnessed it, i.e. Ibn Abbas."

3197- It is narrated on the authority of Abd Ar-Rahman Ibn Abu Laila that he said: It was the habit of Zaid Ibn Arqam to offer four Takbirs in our funeral (prayers), and once, he offered five Takbirs in a funeral (prayer), and when I asked him, he said that the Messenger of Allah "Allah's blessing and peace be upon him" offered that.

[59] What Should Be Recited In The Funeral Prayer

3198- It is narrated on the authority of Talhah Ibn Abdullah Ibn Awf that he said: I offered the funeral prayer behind Ibn Abbas, in which he recited the Opening of the Book and said: "It is out of the sunnah."

[60] What About The Supplication For The Dead

3199- It is narrated on the authority of Abu Hurairah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "When you offer the funeral prayer on a dead, be sincere and faithful in your invocation for him."

3200- It is narrated on the authority of Abu Hurairah that Marwan asked him: "What did you hear from the Messenger of Allah "Allah's blessing and peace be upon him" when he offered the funeral prayer?" he said: "With what I've said to you?" he answered in the affirmative. (It seemed there was a speech between them before that). Abu Hurairah said: "(He said) "O Allah! You are her Lord: It is You Who created her, guided her to Islam, took her soul unto You; and it is You Who know best what is secret and public in her: we've come as intercessors: so, forgive for her."

3201- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" offered funeral prayer, in which he invoked: "O Allah! Forgive for the living and the dead among us, the old and the young among us, the male and the female among us, and the present and the absent among us. O Allah! Whomever you cause to live among us, make him live on Islam, and whomever You cause to die among us, cause him to die in (the state of) faith. O Allah! Do not deprive us of his reward, and do not let us go astray after him."

عَلَيْهِ أَرْبَعًا» فَقُلْتُ لِلشَّعْبِيِّ: مَنْ حَدَّثَكَ؟ قَالَ: «الثِّقَةُ مَنْ شَهِدَهُ عَبْدُ اللَّهِ بنُ عَبَّاسٍ».

3197 ـ حدّثنا أَبُو الْوَلِيدِ الطَّيَالِسِيُّ: أخبرنا شُعْبَةُ. (ح)، وحدثنا مُحَمَّدُ بنُ الْمُثَنَّى: حَدثنا مُحَمَّدُ بنُ جَعْفَرٍ، عن شُعْبَةَ، عَنْ عَمْرِو بنِ مُرَّةَ، عن ابنِ أَبِي لَيْلَى قال: «كَانَ زَيْدٌ ـ يَعْنِي ابنَ أَرْقَمَ ـ يُكَبِّرُ عَلَى جَنَائِزِنَا أَرْبَعًا، وَأَنَّهُ كَبَّرَ عَلَى جَنَازَةٍ خَمْسًا، فَسَأَلْتُهُ، فَقَالَ: كَانَ رَسُولُ اللَّهِ ﷺ يُكَبِّرُهَا».

قال أَبُو دَاوُدَ: وَأَنَا لِحَدِيثِ ابنِ الْمُثَنَّى أَتْقَنُ.

[ت59/م53، 55] ـ باب ما يقرأ على الجنازة

3198 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُفْيَانُ، عن سَعْدِ بنِ إِبْرَاهِيمَ، عن طَلْحَةِ بنِ عَبْدِ اللَّهِ بنِ عَوْفٍ قال: صَلَّيْتُ مَعَ ابنِ عَبَّاسٍ عَلَى جَنَازَةٍ فَقَرَأَ بِفَاتِحَةِ الْكِتَابِ فَقَالَ: إِنَّهَا مِنَ السُّنَّةِ.

[ت60/م54، 56] ـ باب الدعاء للميت

3199 ـ حدّثنا عَبْدُ الْعَزِيزِ بنُ يَحْيَى الْحَرَّانِيُّ: حَدَّثَنِي مُحَمَّدٌ ـ يَعْنِي ابنَ سَلَمَةَ ـ، عن مُحَمَّدِ بنِ إِسْحَاقَ، عن مُحَمَّدِ بنِ إِبْرَاهِيمَ، عن أَبِي سَلَمَةَ بنِ عَبْدِ الرَّحْمَنِ، عن أَبِي هُرَيْرَةَ قال: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِذَا صَلَّيْتُمْ عَلَى الْمَيِّتِ فَأَخْلِصُوا لَهُ الدُّعَاءَ**».

3200 ـ حدّثنا أَبُو مَعْمَرٍ عَبْدُ اللَّهِ بنُ عَمْرٍو: حدَّثنا عَبْدُ الْوَارِثِ: حدَّثنا أَبُو الْجُلاَسِ عُقْبَةُ بنُ سَيَّارٍ أَوْ سِنَانٍ، حَدَّثَنِي عَلِيُّ بنُ شَمَّاخٍ قال: شَهِدْتُ مَرْوَانَ سَأَلَ أَبَا هُرَيْرَةَ: كَيْفَ سَمِعْتَ رَسُولَ اللَّهِ ﷺ يُصَلِّي عَلَى الْجَنَازَةِ؟ قَالَ: أَمَعَ الَّذِي قُلْتَ؟ قال: نَعَمْ، قال: كَلاَمٌ كَانَ بَيْنَهُمَا قَبْلَ ذَلِكَ، قَالَ أَبُو هُرَيْرَةَ: «**اللَّهُمَّ أَنْتَ رَبُّهَا وَأَنْتَ خَلَقْتَهَا وَأَنْتَ هَدَيْتَهَا لِلإِسْلاَمِ وَأَنْتَ قَبَضْتَ رُوحَهَا وَأَنْتَ أَعْلَمُ بِسِرِّهَا وَعَلاَنِيَتِهَا، جِئْنَا شُفَعَاءَ فَاغْفِرْ لَهُ**».

قال أَبُو دَاوُدَ: أَخْطَأَ شُعْبَةُ فِي اسْمِ عَلِيِّ بنِ شَمَّاخٍ قال فِيهِ: عُثْمَانُ بنُ شِمَاسٍ.

قال أَبُو دَاوُدَ: سَمِعْتُ أَحْمَدَ بنَ إِبْرَاهِيمَ الْمَوْصِلِيَّ يُحَدِّثُ أَحْمَدَ بنَ حَنْبَلٍ قالَ: مَا أَعْلَمُ أَنِّي جَلَسْتُ مِنْ حَمَّادِ بنِ زَيْدٍ مَجْلِسًا إِلاَّ نَهَى فِيهِ عن عَبْدِ الْوَارِثِ وَجَعْفَرِ بنِ سُلَيْمَانَ.

3201 ـ حدّثنا مُوسَى بنُ مَرْوَانَ الرَّقِّيُّ: حدَّثنا شُعَيْبٌ ـ يَعْنِي ابنَ إِسْحَاقَ ـ، عن الأَوْزَاعِيِّ، عن يَحْيَى بنِ أَبِي كَثِيرٍ، عن أَبِي سَلَمَةَ، عن أَبِي هُرَيْرَةَ قَالَ: صَلَّى رَسُولُ اللَّهِ ﷺ عَلَى جَنَازَةٍ فَقَالَ: «**اللَّهُمَّ اغْفِرْ لِحَيِّنَا وَمَيِّتِنَا، وَصَغِيرِنَا وَكَبِيرِنَا، وَذَكَرِنَا وَأُنْثَانَا، وَشَاهِدِنَا وَغَائِبِنَا. اللَّهُمَّ مَنْ أَحْيَيْتَهُ مِنَّا فَأَحْيِهِ عَلَى الإِيمَانِ، وَمَنْ تَوَفَّيْتَهُ مِنَّا فَتَوَفَّهُ عَلَى الإِسْلاَمِ. اللَّهُمَّ لاَ تَحْرِمْنَا أَجْرَهُ، وَلاَ تُضِلَّنَا بَعْدَهُ**».

3202- It is narrated on the authority of Wathilah Ibn Al-Asqa' that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer on one of the Muslims, during which I heard him saying: "O Allah! So and so, son of so and so, is now under Your Guardianship, sticking to the pledge of Your Shelter. So, protect him from the affliction of the grave and from the punishment of the fire (of Hell); and You are the most fitting for fulfillment (of Promise) and truth (of forgiveness): forgive him, and bestow mercy upon him: You are Oft-Forgiving, Most Merciful."

[61] What About Offering Funeral Prayer On The Grave

3203- It is narrated on the authority of Abu Hurairah that a black woman used to clean the mosque, and the Messenger of Allah "Allah's blessing and peace be upon him" missed her and when he asked about her many days later, he was told that she had died. On that he said: "Why did you not inform me (of her death, in order to offer funeral prayer for her)? Guide me to (the place of) her grave!" he then came to her grave and offered the funeral prayer for her.

[62] Offering Funeral Prayer On A Muslim Who Dies In The Land Of Pagans

3204- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" announced to the people the news of the death of the Negus on the very day he had died. He went out with them to the praying place, and aligned them, and led the funeral prayer, in which he recited four Takbirs.

3205- It is narrated on the authority of Abu Musa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" ordered us to go to (Abyssinia) the land of the Negus, and we did accordingly...(and narrated the story in which he told that) he (the Negus) said: "I bear testimony to the fact that there is no god (to be worshipped) but Allah, and that he (the Prophet) is the Messenger of Allah "Allah's blessing and peace be upon him", of whose coming Jesus, son of Mary gave the glad tidings; and had it not been for my kingdom, I would have come to him (and served him, and) carried his sandals (in submission to him)."

[63] Gathering The Dead Bodies In The Grave, And Signing The Grave

3206- It is narrated on the authority of Al-Muttalib that he said: When Uthman Ibn Maz'un died, he was brought out in a funeral procession, and buried, and the Messenger of Allah "Allah's blessing and peace be upon

3202 ـ حدّثنا عَبْدُ الرَّحْمَنِ بنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ: حدَّثنا الْوَلِيدُ. (ح)، وحدَّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ: أخبرنا الْوَلِيدُ، وَحَدِيثُ عَبْدِ الرَّحْمَنِ أَتَمُّ قَالَ: أخبرنا مَرْوَانُ بنُ جَنَاحٍ، عن يُونُسَ بنِ مَيْسَرَةَ بنِ حَلْبَسَ، عَنْ وَاثِلَةَ بنِ الأَسْقَعِ قَالَ: صَلَّى بِنَا رَسُولُ اللَّهِ ﷺ عَلَى رَجُلٍ مِنَ الْمُسْلِمِينَ فَسَمِعْتُهُ يَقُولُ: «**اللَّهُمَّ إِنَّ فُلاَنَ بنَ فُلاَنٍ فِي ذِمَّتِكَ فَقِهِ فِتْنَةَ الْقَبْرِ**»، قال عَبْدُ الرَّحْمَنِ: «**فِي ذِمَّتِكَ وَحَبْلِ جِوَارِكَ، فَقِهِ مِنْ فِتْنَةِ الْقَبْرِ وَعَذَابِ النَّارِ، وَأَنْتَ أَهْلُ الْوَفَاءِ والحَمْدِ، اللَّهُمَّ فَاغْفِرْ لَهُ وَارْحَمْهُ إِنَّكَ أَنْتَ الْغَفُورُ الرَّحِيمُ**».

قالَ عَبْدُ الرَّحْمَنِ عن مَرْوَانَ بنِ جَنَاحٍ.

[ت61/ م55، 57] ـ باب الصلاة على القبر

3203 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ وَمُسَدَّدٌ قالاَ: حدَّثنا حَمَّادٌ، عن ثَابِتٍ، عن أَبِي رَافِعٍ، عن أَبِي هُرَيْرَةَ: «أَنَّ امْرَأَةً سَوْدَاءَ أَوْ رَجُلاً كَانَ يَقُمُّ المَسْجِدَ، فَفَقَدَهُ النَّبِيُّ ﷺ فَسَأَلَ عَنْهُ، فَقِيلَ: مَاتَ، فَقَالَ: «**أَلاَ آذَنْتُمُونِي بِهِ؟**»، قال: «**دُلُّونِي عَلَى قَبْرِهِ**»، فَدَلُّوهُ، فَصَلَّى عَلَيْهِ».

[ت62/ م56، 58] ـ باب في الصلاة على المسلم يموت في بلاد الشرك

3204 ـ حدّثنا الْقَعْنَبِيُّ قال: قَرَأْتُ عَلَى مَالِكِ بنِ أَنَسٍ، عن ابنِ شِهَابٍ، عن سَعِيدِ بنِ المُسَيَّبِ، عن أَبِي هُرَيْرَةَ: «أَنَّ رَسُولَ اللَّهِ ﷺ نَعَى لِلنَّاسِ النَّجَاشِيَّ فِي الْيَوْمِ الَّذِي مَاتَ فِيهِ، وَخَرَجَ بِهِمْ إِلَى المُصَلَّى فَصَفَّ بِهِمْ وَكَبَّرَ أَرْبَعَ تَكْبِيرَاتٍ».

3205 ـ حدّثنا عَبَّادُ بنُ مُوسَى: حدثنا إِسْمَاعِيلُ ـ يَعْنِي ابنَ جَعْفَرٍ ـ، عن إِسْرَائِيلَ، عن أَبِي إِسْحَاقَ، عَنْ أَبِي بُرْدَةَ، عَنْ أَبِيهِ قَالَ: «أَمَرَنَا رَسُولُ اللَّهِ ﷺ أَنْ نَنْطَلِقَ إِلَى أَرْضِ النَّجَاشِيِّ فَذَكَرَ حَدِيثَهُ. قالَ النَّجَاشِيُّ: أَشْهَدُ أَنَّهُ رَسُولُ اللَّهِ ﷺ وَأَنَّهُ الَّذِي بَشَّرَ بِهِ عِيسَى ابنُ مَرْيَمَ وَلَوْلاَ مَا أَنَا فِيهِ مِنَ المُلْكِ لأَتَيْتُهُ حَتَّى أَحْمِلَ نَعْلَيْهِ».

[ت63/ م57، 59] ـ باب في جمع الموتى في قبر، والقبر يُعلم

3206 ـ حدّثنا عَبْدُ الوَهَّابِ بنُ نَجْدَةَ: حدَّثنا سَعِيدُ بنُ سَالِمٍ. (ح)، وحدَّثنا يَحْيَى بنُ الْفَضْلِ السِّجِسْتَانِيُّ: أخبرنا حَاتِمٌ ـ يَعْنِي ابنَ إِسْمَاعِيلَ ـ بِمَعْنَاهُ، عن كَثِيرِ بنِ زَيْدٍ المَدَنِيِّ، عن المُطَّلِبِ قال: لَمَّا مَاتَ عُثْمَانُ بنُ مَظْعُونٍ أُخرِجَ بِجَنَازَتِهِ فَدُفِنَ، فَأَمَرَ النَّبِيُّ ﷺ

him" ordered a man to bring a rock, but he could not carry it. The Messenger of Allah "Allah's blessing and peace be upon him" stood up to bring it, and uncovered his arms, (Al-Muttalib said: The one who related to me this narration from the Messenger of Allah "Allah's blessing and peace be upon him", told me saying: "As if I'm looking at the whiteness of the Messenger of Allah "Allah's blessing and peace be upon him", when he uncovered them.") he brought it and placed it by the side of his (Uthman's) dead and said: "I could recognize the grave of my brother (Uthman) with the help of that (rock), and bury near him such as dies of my family."

[64] When The Grave Digger Finds Bones In The Grave: What Should He Do

3207- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Breaking the bone of the deceased is just like (in sin) breaking it as he is living." (The occasion of that Hadith is shown in the narration of Jabir, in which he said: We set out in the company of the Messenger of Allah "Allah's blessing and peace be upon him" to follow a funeral procession, and the Messenger of Allah "Allah's blessing and peace be upon him" sat on the edge of the grave, and we sat with him. The digger took out bones of a leg or forearm, and intended to break it, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Do not break that, for your breaking the (bone of) a deceased is just like your breaking it while he is living. But, you could place it in the side of the grave.")

[65] What About The Grave

3208- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The grave is for us (the Muslims), and the tomb is for (those of the Scripture) other than us."

[66] How Many People Could Enter The Grave (To Undertake The Burial Ceremonies)

3209- It is narrated on the authority of Amir that he said: (The dead body of) the Messenger of Allah "Allah's blessing and peace be upon him" was washed by Ali, Al-Fadl and Usamah Ibn Zaid, and it was they who got him in the grave. It was said that they had Abd Ar-Rahman Ibn Awf enter with them; and when Ali finished from the ceremonies he said: "Indeed, it is (the men of) one's family who should undertake the burial ceremonies of him."

3210- It is narrated on the authority of Ibn Abu Murahhab that Abd Ar-Rahman Ibn Awf got down in the grave of the Messenger of Allah "Allah's

رَجُلاً أَنْ يَأْتِيَه بِحَجَرٍ فَلَمْ يَسْتَطِعْ حَمْلَهُ، فَقَامَ إِلَيْهَا رَسُولُ اللَّهِ ﷺ وَحَسَرَ عن ذِرَاعَيْهِ. قالَ كَثِيرٌ: قال المُطَّلِبُ: قال الَّذِي يُخْبِرُنِي ذَلِكَ عَنْ رَسُولِ اللَّهِ ﷺ قال: كَأَنِّي أَنْظُرُ إِلَى بَيَاضِ ذِرَاعَيْ رَسُولِ اللَّهِ ﷺ حِينَ حَسَرَ عَنْهُمَا ثُمَّ حَمَلَهَا فَوَضَعَهَا عِنْدَ رَأْسِهِ وَقَالَ: «**أَتَعَلَّمُ بِهَا قَبْرَ أَخِي وَأَدْفُنُ إِلَيْهِ مَنْ مَاتَ مِنْ أَهْلِي**».

[ت64/ م58، 60] ـ باب في الحفار يجد العظم، هل يتنكب ذلك المكان؟

3207 ـ حدّثنا الْقَعْنَبِيُّ: حدثنا عَبْدُ الْعَزِيزِ بنُ مُحَمَّدٍ، عن سَعْدٍ ـ يَعْنِي ابنَ سَعِيدٍ ـ، عن عَمْرَةَ بِنْتِ عَبْدِ الرَّحْمَنِ، عن عائِشَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ قال: «**كَسْرُ عَظْمِ المَيِّتِ كَكَسْرِهِ حَيًّا**».

[ت65/ م59، 61] ـ باب في اللحد

3208 ـ حدّثنا إِسْحَاقُ بنُ إِسْمَاعِيلَ: حدَّثنا حَكَّامُ بنُ سَلْمٍ، عن عَلِيِّ بنِ عَبْدِ الأَعْلَى، عن أَبِيهِ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ رَضِيَ اللَّهِ عَنْهُمَا قال: قَالَ رَسُولُ اللَّهِ ﷺ: «**اللَّحْدُ لَنَا وَالشَّقُّ لِغَيْرِنَا**».

قَال أبو دَاوُدَ: هذا عليُّ بنُ عَبْدِ الأَعْلَى الثَّعْلَبِيُّ.

[ت66/ م60، 62] ـ باب كم يدخل القبر؟

3209 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا زُهَيْرٌ: حدَّثنا إِسْمَاعِيلُ بنُ أَبِي خَالِدٍ، عن عَامِرٍ قال: «غَسَّلَ رَسُولَ اللَّهِ ﷺ عَلِيٌّ وَالْفَضْلُ وَأُسَامَةُ بنُ زَيْدٍ وَهُمْ أَدْخَلُوهُ قَبْرَهُ. قالَ: وَحَدَّثَنِي مُرَحَّبٌ، أَوْ ابنُ أَبِي مُرَحَّبٍ، أَنَّهُمْ أَدْخَلُوا مَعَهُمْ عَبْدَ الرَّحْمَنِ بنَ عَوْفٍ، فَلَمَّا فَرَغَ عَلِيٌّ قال: إِنَّمَا يَلِي الرَّجُلَ أَهْلُهُ».

3210 ـ حدّثنا مُحَمَّدُ بنُ الصَّبَّاحِ بنِ سُفْيَانَ: أَخبرنا سُفْيَانُ، عن ابنِ أَبِي خَالِدٍ، عن الشَّعْبِيِّ، عن أَبِي مُرَحَّبٍ: «أَنَّ عَبْدَ الرَّحْمَنِ بنَ عَوْفٍ نَزَلَ

blessing and peace be upon him" (with Ali, Al-Fadl and Usamah Ibn Zaid) and he said: "It seems as if I am seeing them four."

[67] Should The Dead Be Made To Enter The Grave By His Legs

3211- It is narrated on the authority of Abu Ishaq that he said: Al-Harith made a bequest that Abdullah Ibn Yazid should lead the funeral prayer on him; and when he offered the funeral prayer on him, he got him into the grave by his leg, and said: "This is out of the sunnah."

[68] How Should The People Sit At The Grave

3212- It is narrated on the authority of Al-Bara' Ibn Azib that he said: We set out with the Messenger of Allah "Allah's blessing and peace be upon him" to follow the funeral procession of a man from amongst the Ansar, and when we reached the grave, and it was not dug yet, the Messenger of Allah "Allah's blessing and peace be upon him" sat down facing the Qiblah, and we sat with him.

[69] The Invocation Of Good For The Deceased Once He Is Placed In The Grave

3213- It is narrated on the authority of Ibn Umar that whenever the Messenger of Allah "Allah's blessing and peace be upon him" placed a dead in the grave, he would say: "In the Name of Allah, and in accordance with the sunnah of the Messenger of Allah "Allah's blessing and peace be upon him"."

[70] When One Has A Pagan From Amongst His Kinship Dies

3214- It is narrated on the authority of Ali that he said: I said to the Messenger of Allah "Allah's blessing and peace be upon him" said: "Your paternal uncle, the old straying man (Abu Talib) had died." He said: "Go and bury your father, and make nothing until you come to me." I went and buried him, and when I returned to him, he ordered me to take bath, and I did accordingly, and he invoked good upon me.

[71] Making Deep The Dig In The Grave

3215- It is narrated on the authority of Hisham Ibn Amir that he said: The Ansar came to the Messenger of Allah "Allah's blessing and peace be upon him" on the day of (the holy battle of) Uhud and said: "We've been given to harm and weariness (because of war): what do you order us to do?" he said: "Dig and make large (and deep) your graves, and place each two or three in one grave." It was said: "Who of them should be brought forward (in the grave)?" he said: "Such as had the most portion of the

فِي قَبْرِ النَّبِيِّ ﷺ قال: كَأَنِّي أَنْظُرُ إِلَيْهِمْ أَرْبَعَةً».

[ت67/م61، 63] ـ باب في الميت يُدخل من قبل رجليه

3211 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ مُعَاذٍ: حدَّثنا أَبِي: حدَّثنا شُعْبَةُ، عن أَبِي إِسْحَاقَ قال: «أَوْصَى الْحَارِثُ أَنْ يُصَلِّيَ عَلَيْهِ عَبْدُ اللَّهِ بنُ يَزِيدَ، فَصَلَّى عَلَيْهِ ثُمَّ أَدْخَلَهُ الْقَبْرَ مِنْ قِبَلِ رِجْلَي الْقَبْرِ وَقَالَ: هَذَا مِنَ السُّنَّةِ».

[ت68/م62، 64] ـ باب كيف يجلس عند القبر

3212 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا جَرِيرٌ، عن الأَعْمَشِ، عن المِنْهَالِ بنِ عَمْرٍو، عنْ زَاذَانَ، عَنْ الْبَرَاءِ بنِ عَازِبٍ قال: «خَرَجْنَا مَعَ رَسُولِ اللَّهِ ﷺ فِي جَنَازَةِ رَجُلٍ مِنَ الأَنْصَارِ، فَانْتَهَيْنَا إِلَى الْقَبْرِ وَلَمْ يُلْحَدْ بَعْدُ، فَجَلَسَ النَّبِيُّ مُسْتَقْبِلَ الْقِبْلَةِ وَجَلَسْنَا مَعَهُ».

[ت69/م63، 65] ـ باب في الدعاء للميت إذا وُضع في قبره

3213 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ. (ح)، وحدَّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا هَمَّامٌ، عن قَتَادَةَ، عن أَبِي الصِّدِّيقِ، عن ابنِ عُمَرَ: أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا وُضِعَ المَيِّتُ فِي الْقَبْرِ قال: «**بِسْمِ اللَّهِ وَعَلَى سُنَّةِ رَسُولِ اللَّهِ**» ﷺ هَذَا لَفْظُ مُسْلِمٍ.

[ت70/م64، 66] ـ باب الرجل يموت له قرابة مشرك

3214 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن سُفْيَانَ: حَدَّثَنِي أَبُو إِسْحَاقَ، عن نَاجِيَةَ بنِ كَعْبٍ، عن عَلِيٍّ عليه السلام قال: «قُلْتُ لِلنَّبِيِّ ﷺ: إِنَّ عَمَّكَ الشَّيْخَ الضَّالَّ قَدْ مَاتَ. قَالَ: «**اذْهَبْ فَوَارِ أَبَاكَ ثُمَّ لاَ تُحْدِثَنَّ شَيْئًا حَتَّى تَأْتِيَنِي**»، فَذَهَبْتُ فَوَارَيْتُهُ وَجِئْتُهُ فَأَمَرَنِي فَاغْتَسَلْتُ وَدَعَا لِي».

[ت71/م65، 67] ـ باب في تعميق القبر

3215 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ الْقَعْنَبِيُّ أَنَّ سُلَيْمَانَ بنَ المُغِيرَةِ حَدَّثَهُمْ، عن حُمَيْدٍ ـ يَعْنِي ابنَ هِلاَلٍ ـ، عن هِشَامِ بنِ عَامِرٍ قال: جَاءَتِ الأَنْصَارُ إِلَى رَسُولِ اللَّهِ ﷺ يَوْمَ أُحُدٍ فَقَالُوا: أَصَابَنَا قَرْحٌ وَجَهْدٌ فَكَيْفَ تَأْمُرُنَا؟ قَالَ: «**احْفِرُوا وَأَوْسِعُوا وَاجْعَلُوا الرَّجُلَيْنِ وَالثَّلاَثَةَ فِي الْقَبْرِ**»، قِيلَ: فَأَيُّهُمْ

Qur'an among them." He said: On that very day, my father Amir was killed (and placed) between two (or with one).

3216- The same is narrated on the authority of Humaid Ibn Hilal, through the same chain of transmitters, with the addition: "and make them deep."

3217- The same narration is transmitted on the authority of Sa'd Ibn Hisham Ibn Amir.

[72] Leveling The Grave With The Ground

3218- It is narrated on the authority of Abu Hayyaj Al-Azdi that he said: Ali sent me (as a governor) and said: "I will send you in accordance with (the same commandments and judgements) with which the Messenger of Allah "Allah's blessing and peace be upon him" had sent me, i.e. not to leave a prominently high grave but that I should level it with the ground, nor a statue but that I should obliterate it."

3219- It is narrated on the authority of Abu Ali Al-Hamadani that he said: We were in Rudis in the company of Fadalah Ibn Ubaid, when a companion of ours died, thereupon Fadalah ordered that his grave should be leveled with the ground and said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having commanded that the graves should be leveled with the ground

3220- It is narrated on the authority of Al-Qasim that he said: I visited A'ishah and said: "O Mother! Uncover for me the grave of the Messenger of Allah "Allah's blessing and peace be upon him", and the graves of his two companions Abu Bakr and Umar (in order to see them)." She uncovered for me three graves, witch were neither high (over the ground) nor prominent, topped with the red stones. Abu Ali says: It is said that the Messenger of Allah "Allah's blessing and peace be upon him" is in the front, Abu Bakr by his side, and Umar by his feet, i.e. his (Umar's) head is by the side of the feet of the Messenger of Allah "Allah's blessing and peace be upon him".

[73] Invoking Forgiveness For The Dead At The Grave On Turning Away

3221- It is narrated on the authority of Uthman Ibn Affan that he said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" finished from the burial ceremonies of the dead, he would stand near him and say: "Ask for (Allah's) Forgiveness for your (dead) brother, and

يُقَدَّمُ؟ قال: «**أَكْثَرُهُمْ قُرْآنًا**».

قالَ: أُصِيبَ أَبِي يَوْمَئِذٍ عَامِرٌ بينَ اثْنَيْنِ، أَوْ قَالَ: وَاحِدٌ.

3216 ـ حدّثنا أَبُو صَالِحٍ ـ يَعْنِي الأَنْطَاكِيَّ ـ: أخبرنا أَبُو إِسْحَاقَ ـ يَعْنِي الْفَزَارِيَّ ـ، عن الثَّوْرِيِّ، عن أَيُّوبَ، عن حُمَيْدِ بنِ هِلاَلٍ بِإِسْنَادِهِ وَمَعْنَاهُ، زَادَ فِيهِ: «**وَأَعْمِقُوا**».

3217 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا جَرِيرٌ: حدَّثنا حُمَيْدٌ ـ يَعْنِي ابنَ هِلاَلٍ ـ، عن سَعْدِ بنِ هِشَامِ بنِ عَامِرٍ بِهَذَا الْحَدِيث.

[ت72/م66، 68] ـ باب في تسوية القبر

3218 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُفْيَانُ: حدَّثنا حَبِيبُ بنُ أَبِي ثَابِتٍ، عن أَبي وَائِلٍ، عن أَبِي هَيَّاجٍ الأَسَدِيِّ قال: «بَعَثَنِي عَلِيٌّ قالَ لِي: أَبْعَثُكَ عَلَى مَا بَعَثَنِي عَلَيْهِ رَسُولُ اللَّهِ ﷺ أَنْ لاَ أَدَعَ قَبْرًا مُشْرِفًا إِلاَّ سَوَّيْتُهُ وَلاَ تِمْثَالاً إِلاَّ طَمَسْتُهُ».

3219 ـ حدّثنا أَحْمَدُ بنُ عَمْرِو بنِ السَّرْحِ، قال: حدَّثنا ابنُ وَهْبٍ: حَدَّثَنِي عَمْرُو بنُ الْحَارِثِ، أَنَّ أَبَا عَلِيٍّ الْهَمْدَانِيَّ حَدَّثَهُ قَال: «كُنَّا مَعَ فَضَالَةَ بنِ عُبَيْدٍ بِرُودِسَ مِنْ أَرْضِ الرُّومِ فَتُوفِّيَ صَاحِبٌ لَنَا، فَأَمَرَ فَضَالَةُ بِقَبْرِهِ فَسُوِّيَ ثُمَّ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَأْمُرُ بِتَسْوِيَتِهَا».

قال أَبُو دَاوُدَ: رُودِسَ جَزِيرَةٌ فِي الْبَحْرِ.

3220 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ أَبي فُدَيْكٍ: أخبرني عَمْرُو بنُ عُثْمَانَ بنِ هَانِئٍ، عن الْقَاسِمِ قال: دَخَلْتُ عَلَى عَائِشَةَ فَقُلْتُ: يَا أُمَّهْ اكْشِفِي لِي عَنْ قَبْرِ رَسُولِ اللَّهِ ﷺ وَصَاحِبَيْهِ رَضِيَ اللَّهُ عَنْهُمَا فَكَشَفَتْ لِي عَنْ ثَلاَثَةِ قُبُورٍ لاَ مُشْرِفَةٍ وَلاَ لاَطِئَةٍ، مَبْطُوحَةٍ بِبَطْحَاءِ الْعَرْصَةِ الْحَمْرَاءِ.

قَالَ أَبُو عَلِيٍّ: يُقَالُ إِنَّ رَسُولَ اللَّهِ ﷺ مُقَدَّمٌ، وَأَبُو بَكْرٍ عِنْدَ رَأْسِهِ، وَعُمَرُ عِنْدَ رِجْلَيْهِ، رَأْسُهُ عِنْدَ رِجْلَيْ رَسُولِ اللَّهِ ﷺ.

[ت73/م67 ، 69] ـ باب الاستغفار عند القبر للميت في وقت الانصراف

3221 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ: حدَّثنا هِشَامٌ، عَنْ عَبْدِ اللَّهِ بنِ بُحَيْرِ بنِ رَيْسَانَ، عَنْ هَانِئٍ مَوْلَى عُثْمَانَ بنِ عَفَّانَ قال: كَانَ النَّبِيُّ ﷺ إِذَا فَرَغَ مِنْ دَفْنِ المَيِّتِ وَقَفَ عَلَيْهِ فَقَالَ: «**اسْتَغْفِرُوا لأَخِيكُمْ وَسَلُوا لَهُ التَّثْبِيتَ فَإِنَّهُ الآنَ يُسْأَلُ**».

invoke (Allah) to make him firm, for now he is being asked (by the angels)."

[74] It Is Undesirable To Slaughter At The Grave

3222- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no hamstringing (of anything at the graves) in (accordance with the rules and principles of) Islam."

Abd Ar-Razzaq said: It was their habit to slaughter a cow or a sheep at the grave.

[75] The Funeral Prayer Might Be Offered On The Dead At His Grave Some Time Later

3223- It is narrated on the authority of Uqbah Ibn Amir that one day the Messenger of Allah "Allah's blessing and peace be upon him" set out and offered the funeral prayer on these (killed on the day of the battle) of Uhud, and then he turned away.

3224- The same narration is narrated on the authority of Yazid Ibn Abu Habib, in which he said: The Messenger of Allah "Allah's blessing and peace be upon him" offered the funeral prayer on those (killed on the day of the holy battle of) Uhud eight years (after the battle), as if he intended to bid farewell to both the living and the dead equally.

[76] What About Building Upon The Grave

3225- It is narrated on the authority of Jabir that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having forbidden to sit or stratify with gypsum or build anything over the grave.

3226- The same narration is transmitted on the authority of Jabir, through a different chain of transmission.

Abu Dawud says: In the narration of Uthman, there is the following addition: "And to add an increase to it." In the narration of Sulaiman Ibn Musa: "and to write on it."

3227- It is narrated on the authority of Abu Hurairah that he said: The Prophet "Allah's blessing and peace be upon him" said: "Might Allah ruin the Jews! They have taken the graves of their Prophets as places of worship."

[77] It Is Undesirable To Sit On The Grave

3228- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "To sit

قال أَبُو دَاوُدَ: بُحَيْرُ بنُ رَيْسَانَ.

[ت74/ م68، 70] ـ باب كراهية الذبح عند القبر

3222 ـ حدّثنا يَحْيَى بنُ مُوسَى الْبَلْخِيُّ: حدَّثنا عَبْدُ الرَّزَّاقِ: أخبرنا مَعْمَرٌ، عن ثَابِتٍ، عن أَنَسٍ قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ عَقْرَ فِي الإِسْلاَمِ**».

قالَ عَبْدُ الرَّزَّاقِ: كَانُوا يَعْقِرُونَ عِنْدَ الْقَبْرِ؛ يَعْنِي بَقَرَةً أَوْ شَاةً.

[ت75/ م69، 71] ـ باب الميت يُصلَّى على قبره بعد حين

3223 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا اللَّيْثُ، عن يَزِيدَ بنِ أَبِي حَبِيبٍ، عن أَبِي الْخَيْرِ، عن عُقْبَةَ بنِ عَامِرٍ: «أَنَّ رَسُولَ اللَّهِ ﷺ خَرَجَ يَوْمًا فَصَلَّى عَلَى أَهْلِ أُحُدٍ صَلاَتَهُ عَلَى الْمَيِّتِ ثُمَّ انْصَرَفَ».

3224 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا يَحْيَى بنُ آدَمَ: حدَّثنا ابنُ الْمُبَارَكِ، عن حَيْوَةَ بنِ شُرَيْحٍ، عن يَزِيدَ بنِ أَبِي حَبِيبٍ بِهَذَا الْحَدِيثِ قال: «إِنَّ النَّبِيَّ ﷺ صَلَّى عَلَى قَتْلَى أُحُدٍ بَعْدَ ثَمَانِ سِنِينَ كَالْمُوَدِّعِ للأَحْيَاءِ وَالأَمْوَاتِ».

[ت76/ م70، 72] ـ باب في البناء على القبر

3225 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا ابنُ جُرَيْجٍ: أخبرني أَبُو الزُّبَيْرِ أَنَّهُ سَمِعَ جَابِرًا يَقُولُ: «سَمِعْتُ النَّبِيَّ ﷺ نَهَى أَنْ يُقْعَدَ عَلَى الْقَبْرِ وَأَنْ يُقَصَّصَ وَيُبْنَى عَلَيْهِ».

3226 ـ حدّثنا مُسَدَّدٌ وَعُثْمَانُ بنُ أَبِي شَيْبَةَ قَالاَ: أخبرنا حَفْصُ بنُ غِيَاثٍ، عن ابنِ جُرَيْجٍ، عن سُلَيْمَانَ بنِ مُوسَى، وَعَنْ الزُّبَيْرِ، عنْ جَابِرٍ بِهَذَا الْحَدِيثِ.

قال أَبُو دَاوُدَ: قال عُثْمَانُ: «أَوْ يُزَادَ عَلَيْهِ» وَزَادَ سُلَيْمَانُ بنُ مُوسَى: «أَوْ أَنْ يُكْتَبَ عَلَيْهِ» وَلَمْ يَذْكُرْ مُسَدَّدٌ فِي حَدِيثِهِ: «أَوْ يُزَاد عَلَيْهِ».

قال أَبُو دَاوُدَ: خَفِيَ عَلَيَّ مِنْ حَدِيثِ مُسَدَّدٍ حَرْفُ: «وَأَنْ».

3227 ـ حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن ابنِ شِهَابٍ، عن سَعِيدِ بنِ الْمُسَيَّبِ، عن أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قال: «**قَاتَلَ اللَّهُ الْيَهُودَ اتَّخَذُوا قُبُورَ أَنْبِيَائِهِمْ مَسَاجِدَ**».

[ت77/ م71، 73] ـ باب في كراهية القعود على القبر

3228 ـ حدّثنا مُسَدَّدٌ: حدَّثنا خَالِدٌ: حدَّثنا سُهَيْلُ بنُ أَبِي صَالِحٍ، عن أَبِيهِ، عن أَبِي هُرَيْرَةَ قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لأَنْ يَجْلِسَ أَحَدُكُمْ عَلَى جَمْرَةٍ فَتُحْرِق**

on a piece of fire which might burn one's garment and reach his skin is better for anyone of you than to sit on a grave."

3229- It is narrated on the authority of Abu Marthad Al-Ghanawi that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Do not sit on the graves, nor offer prayer towards them."

[78] Walking With Sandals In The Graveyard

3230- It is narrated on the authority of Bashir, -the freed slave of the Messenger of Allah "Allah's blessing and peace be upon him", and his name during the pre-Islamic period of ignorance was Zahm Ibn Ma'bad; and when he emigrated to the Messenger of Allah "Allah's blessing and peace be upon him" he asked him: "What is your name?" he said: "Zahm." On that the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "No, you are Bashir (carrier of the glad tidings)"- that he said: I was walking in the company of the Messenger of Allah "Allah's blessing and peace be upon him" when he came upon the graves of the pagans, thereupon he said thrice: "Verily, a lot of good has escaped those." Then, he came upon the graves of Muslims thereupon he said: "No doubt, those (who died) caught up with a lot of good." Then, he turned and saw a man walking between the graves while he was wearing his sandals. On that the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "O man of leather hairless sandals! Allah be merciful to you! Put them off!" when the man turned to him and recognized him, i.e. knew that he was the Messenger of Allah "Allah's blessing and peace be upon him", he put them off, and threw them.

3231- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone is placed in his grave, and his companions turned away from him (after finishing the burial ceremonies), he hears their footsteps."

[79] What About Moving The Dead From His Place?

3232- It is narrated on the authority of Jabir that he said: Somebody was buried with my father (in one grave), and I felt something in myself because of that, thereupon I brought him (my father) out six months later (to carry him to another grave), and I observed nothing disprovable in him except some hair in his beard facing the ground.

ثِيَابَهُ حَتَّى تَخْلُصَ إِلَى جِلْدِهِ خَيْرٌ لَهُ مِنْ أَنْ يَجْلِسَ عَلَى قَبْرٍ».

3229 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ: أخبرنا عِيسَى: حدَّثنا عَبْدُ الرَّحْمَنِ ـ يَعْنِي ابنَ يَزِيدَ بنِ جَابِرٍ ـ، عن بُسْرِ بنِ عُبَيْدِ اللَّهِ قال: سَمِعْتُ وَاثِلَةَ بنِ الأَسْقَعِ يَقُولُ سَمِعْتُ أَبَا مَرْثَدٍ الْغَنَوِيِّ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ تَجْلِسُوا عَلَى الْقُبُورِ وَلاَ تُصَلُّوا إِلَيْهَا**».

[ت78/ م72، 74] ـ باب المشي بين القبور في النعل

3230 ـ حدّثنا سَهْلُ بنُ بَكَّارٍ: حدَّثنا الأَسْوَدُ بنُ شَيْبَانَ، عن خَالِدِ بنِ سُمَيْرٍ السَّدُوسِيِّ، عن بَشِيرِ بنِ نَهِيكٍ، عن بَشِيرٍ مَوْلَى رَسُولِ اللَّهِ ﷺ، وَكَانَ اسْمُهُ فِي الْجَاهِلِيَّةِ زَحْمَ بنَ مَعْبَدٍ، فَهَاجَرَ إِلَى رَسُولِ اللَّهِ ﷺ، فَقَالَ: «**مَا اسْمُكَ؟**» قالَ زَحْمٌ، قالَ: «**بَلْ أَنْتَ بَشِيرٌ**» قال: «بَيْنَمَا أَنَا أُمَاشِي رَسُولَ اللَّهِ ﷺ مَرَّ بِقُبُورِ الْمُشْرِكِينَ فقالَ: «**لَقَدْ سَبَقَ هَؤُلاَءِ خَيْرًا كَثِيرًا**»، ثلاَثًا، ثُمَّ مَرَّ بِقُبُورِ الْمُسْلِمِينَ فقالَ: «**لَقَدْ أَدْرَكَ هَؤُلاَءِ خَيْرًا كَثِيرًا**»، وحَانَتْ مِنْ رَسُولِ اللَّهِ ﷺ نَظْرَةٌ فَإِذَا رَجُلٌ يَمْشِي فِي الْقُبُورِ عَلَيْهِ نَعْلاَنِ، فقالَ: «**يَا صَاحِبَ السِّبْتِيَّتَيْنِ، وَيْحَكَ أَلْقِ سِبْتِيَّتَيْكَ**»، فَنَظَرَ الرَّجُلُ، فَلَمَّا عَرَفَ رَسُولَ اللَّهِ ﷺ خَلَعَهُمَا فَرَمَى بِهِمَا».

3231 ـ حدّثنا مُحَمَّدُ بنُ سُلَيْمَانَ الأَنْبَارِيُّ: حدَّثنا عَبْدُ الوَهَّابِ ـ يَعْنِي ابنَ عَطَاءٍ ـ، عن سَعِيدٍ، عن قَتَادَةَ، عن أَنَسٍ، عن النَّبِيِّ ﷺ أَنَّهُ قالَ: «**إِنَّ الْعَبْدَ إِذَا وُضِعَ فِي قَبْرِهِ وَتَوَلَّى عَنْهُ أَصْحَابُهُ إِنَّهُ لَيَسْمَعُ قَرْعَ نِعَالِهِمْ**».

[ت79/ م73، 75] ـ باب في تحويل الميت من موضعه للأمر يحدث

3232 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ: حدَّثنا حَمَّادُ بنُ زَيْدٍ، عن سَعِيدِ بنِ يَزِيدَ أَبِي مَسْلَمَةَ، عن أَبِي نَضْرَةَ، عن جَابِرٍ قال: «دُفِنَ مَعَ أَبِي رَجُلٌ فَكَانَ فِي نَفْسِي مِنْ ذَلِكَ حَاجَةٌ فَأَخْرَجْتُهُ بَعْدَ سِتَّةِ أَشْهُرٍ فَمَا أَنْكَرْتُ مِنْهُ شَيْئًا إِلاَّ شُعَيْرَاتٍ كُنَّ فِي لِحْيَتِهِ مِمَّا يَلِي الأَرْضَ».

[80] Praising The Dead

3233- It is narrated on the authority of Abu Hurairah that he said: A funeral procession passed by the Messenger of Allah "Allah's blessing and peace be upon him", and the people mentioned the dead with good, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "It (the Garden) has been affirmed to him." Then, another funeral procession passed by him, and the people mentioned the deceased with evil, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "It (the Garden) has been affirmed to him." He further said: "No doubt, you are witnesses to each other."

[81] Visiting The Graves

3234- It is narrated on the authority of Abu Hurairah that once the Messenger of Allah "Allah's blessing and peace be upon him" visited the grave of his mother, and he wept, and caused those around him to weep. Then, he said: "I asked for permission of my Lord to invoke forgiveness for her, and he gave me no permission; and I asked for permission of my Lord to visit her grave, and he gave me permission. So, (it'd better for) you to visit the graves, since they remind you of death."

3235- It is narrated on the authority of Ibn Buraidah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I had forbidden you to visit the graves earlier; but now, you might visit them, since there is admonition (for you of the dead and hereafter affairs) in visiting them."

[82] What About The Women's Visiting The Graves

3236- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" cursed such of women as visit the graves, such of people as make of them places of worship, and such as take lamps over them.

[83] What Should Be Said On Visiting Or Coming Upon The Graves

3237- It is narrated on the authority of Abu Hurairah that once, the Messenger of Allah "Allah's blessing and peace be upon him" set out to the graveyard, and said: "Peace be upon you the (inhabitants of the) abode of the faithful believers, and we, by Allah's Will, are going to join you later."

[84] How Such As In The State Of Ihram Be Dealt With When He Dies?

3238- It is narrated on the authority of Ibn Abbas that a man was brought to the Messenger of Allah "Allah's blessing and peace be upon him", and

[ت80/م74، 76] ـ باب في الثناء على الميت

3233 ـ حدّثنا حَفْصُ بنُ عُمَرَ: حدَّثنا شُعْبَةُ، عن إِبْرَاهِيمَ بنِ عَامِرٍ، عن عَامِرِ بنِ سَعْدٍ، عن أبي هُرَيْرَةَ قال: مَرُّوا عَلَى رَسُولِ اللَّهِ ﷺ بِجَنَازَةٍ فَأَثْنَوْا عَلَيْهَا خَيْرًا، فقال: «**وَجَبَتْ**»، ثُمَّ مَرُّوا بِأُخْرَى فَأَثْنَوا شَرًّا، فقال: «**وَجَبَتْ**»، ثُمَّ قال: «**إِنَّ بَعْضَكُمْ عَلَى بَعْضٍ شُهَدَاءُ**».

[ت81/م75، 77] ـ باب في زيارة القبور

3234 ـ حدّثنا مُحَمَّدُ بنُ سُلَيْمَانَ الأَنْبَارِيُّ: حدَّثنا مُحَمَّدُ بنُ عُبَيْدٍ، عَنْ يَزِيدَ بنِ كَيْسَانَ، عن أَبِي حَازِمٍ، عن أبي هُرَيْرَةَ قال: أَتَى رَسُولُ اللَّهِ ﷺ قَبْرَ أُمِّهِ فَبَكَى وَأَبْكَى مَنْ حَوْلَهُ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**اسْتَأْذَنْتُ رَبِّي تَعَالَى عَلَى أَنْ أَسْتَغْفِرَ لَهَا، فَلَمْ يُؤْذَنْ لِي فَاسْتَأْذَنْتُ أَنْ أَزُورَ قَبْرَهَا، فَأَذِنَ لِي، فَزُورُوا الْقُبُورَ فَإِنَّهَا تُذَكِّرُ بِالمَوْتِ**».

3235 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: أخبرنا مُعَرِّفُ بنُ وَاصِلٍ، عن مُحَارِبِ بنِ دِثَارٍ، عن ابنِ بُرَيْدَةَ، عن أَبِيهِ قال: قال رَسُولُ اللَّهِ ﷺ: «**نَهَيْتُكُمْ عن زِيَارَةِ الْقُبُورِ فَزُورُوهَا فَإِنَّ فِي زِيَارَتِهَا تَذْكِرَةً**».

[ت82/م76، 78] ـ باب في زيارة النساء القبور

3236 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا شُعْبَةُ، عن مُحَمَّدِ بنِ جُحَادَةَ قال: سَمِعْتُ أَبَا صَالِحٍ يُحَدِّثُ، عن ابنِ عَبَّاسٍ قال: «لَعَنَ رَسُولُ اللَّهِ ﷺ زَائِرَاتِ الْقُبُورِ وَالمُتَّخِذِينَ عَلَيْهَا المَسَاجِدَ وَالسُّرُجَ».

[ت83/م77، 79] ـ باب ما يقول إذا زار القبور أو مرَّ بها

3237 ـ حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن الْعَلاَءِ بنِ عَبْدِ الرَّحْمَنِ، عن أَبِيهِ، عن أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ خَرَجَ إِلَى المَقْبَرَةِ فقالَ: «**السَّلاَمُ عَلَيْكُمْ دَارَ قَوْمٍ مُؤْمِنِينَ وَإِنَّا إِنْ شَاءَ اللَّهِ بِكُمْ لاَحِقُونَ**».

حَدَّثنا أحمدُ بن محمد بنُ حَنْبَل: حدَّثنا معاويةُ بن هِشَامٍ: حدَّثنا سُفيان، عن علقمةَ بنِ مَرْثَد، عن سُليمانَ بنِ بُرَيْدَة، عن أبيه قال: كانَ رَسُولُ اللَّه ﷺ يُعَلِّمُهُم إذا خَرجوا إلى المقَابِر، وذكر نحوَ حديث العَلاء بن عبد الرحمن، زاد: «**إنهم فَرَطُنا، ونحن لكم تَبَعٌ، نَسْأَلُ الله لنا ولكم العَافِية**».

حدَّثنا محمد بنُ الصَّبَّاح البَزَّاز: حدَّثنا شَرِيك، عن عاصم بن عبد الله، عن عبد الله بن عَامِر، عن عائِشةَ قالت: فقدتُ رسولَ الله ﷺ فاتبعتُه، فأتَى البقيعَ فقال: «**السلامُ عليكم دارَ قَوْمٍ مؤمنين، أَنتمُ لنا فَرَطٌ، وإنَّا بِكُم لاحقون، اللهم لا تَحرِمنا أجورهم، ولا تَفْتِنَّا بعدَهم**».

حدَّثنا القَعْنَبِيُّ وقُتَيْبَةُ قالا: حدَّثنا عبد العزيز بنُ محمَّد، عن شَرِيك ـ يعني ابن أبي نَمِر ـ، عن عَطَاء، عن عائِشَةَ في هذه القصة، زاد: «**اللهم اغْفِر لأهل بَقِيع الغَرْقَدِ**».

[ت84/م78، 70] ـ باب كيف يصنع بالمحرم إذا مات؟

3238 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُفْيَانُ: حَدَّثَنِي عَمْرُو بنُ دِينَارٍ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ قال: أُتِيَ النَّبِيُّ ﷺ بِرَجُلٍ وَقَصَتْهُ رَاحِلَتُهُ فَمَاتَ وَهُوَ مُحْرِمٌ، فَقَالَ:

he had his neck broken on account of falling down from his mount, and he was in the state of Ihram. On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Wash his (dead) body with water and Sidr, and shroud him in his two sheets (of Ihram), and do not cover his face, for on the Day of Judgement, he will be raised while reciting Talbiyah."

Abu Dawud says: I heard Ahmad Ibn Hanbal having said: There are five principles in this narration: to shroud him in two sheets, and this means the shroud of a dead should consist of two sheets; to wash the dead body with water and fused leaves of lot, which should be mixed up in the water of washing the dead in general; do not cover his head; do not apply perfume to his body; and that one's shroud should be out of his own property.

3239- The same is narrated on the authority of Ibn Abbas, through another chain of transmitters. According to the narration of Sulaiman he said: "And do not apply Hunut to him."

3240- The same is narrated on the authority of Ibn Abbas, through the same chain of transmission.

3241- It is narrated on the authority of Ibn Abbas that a man had his neck broken and he was killed on account of falling down from his mount, and he was in the state of Ihram. He then was brought to the Messenger of Allah "Allah's blessing and peace be upon him" who said: "Wash his (dead) body with water and the infusion of leaves of lot, and shroud him (in his two sheets of Ihram), and do not cover his head, and do not apply perfume to his body, for (on the Day of Judgement) he will be raised while reciting Talbiyah."

«**كَفِّنوهُ فِي ثَوْبَيْهِ وَاغْسِلُوهُ بِمَاءٍ وَسِدْرٍ وَلاَ تُخَمِّرُوا رَأْسَهُ، فَإِنَّ اللَّهَ يَبْعَثُهُ يَوْمَ الْقِيَامَةِ يُلَبِّي**».

قال أَبُو دَاوُدَ: سَمِعْتُ أَحْمَدَ بنَ حَنْبَلٍ يَقُولُ: فِي هَذَا الْحَدِيثِ خَمْسُ سُنَنٍ: «**كَفِّنوهُ في ثَوْبَيْهِ**» أي: يُكَفَّنُ الْمَيِّتُ فِي ثَوْبَيْنِ، «**وَاغْسِلُوهُ بِمَاءٍ وَسِدْرٍ**» أي: أَنَّ فِي الْغُسْلاَتِ كُلِّهَا سِدْرًا، «**وَلاَ تُخَمِّرُوا رَأْسَهُ، وَلاَ تُقَرِّبُوهُ طِيبًا**»، وَكَانَ الْكَفَنُ مِنْ جَمِيعِ الْمَالِ.

3239 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ وَمُحَمَّدُ بنُ عُبَيْدٍ، الْمَعْنَى، قالا: حدَّثنا حَمَّادٌ، عن عَمْرٍو، وَأَيُّوبَ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ نَحْوَهُ قالَ: «**وَكَفِّنُوهُ فِي ثَوْبَيْنِ**».

قال أَبُو دَاوُدَ: قالَ سُلَيْمَانُ: قال أَيُّوبُ: «**ثَوْبَيْهِ**»، وَقَالَ عَمْرٌو: «**ثَوْبَيْنِ**»، وَقَالَ ابنُ عُبَيْدٍ: قال أَيُّوبُ: «**فِي ثَوْبَيْنِ**»، وَقَالَ عَمْرٌو: «**فِي ثَوْبَيْهِ**». زَادَ سُلَيْمَانُ وَحْدَهُ: «**وَلاَ تُحَنِّطُوهُ**».

3240 ـ حدّثنا مُسَدَّدٌ: أخبرنا حَمَّادٌ، عن أَيُّوبَ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ نَحْوَهُ بِمَعْنَى سُلَيْمَانَ «**فِي ثَوْبَيْنِ**».

3241 ـ حدّثنا عُثْمَانُ بنُ أبي شَيْبَةَ: حدَّثنا جَرِيرٌ، عن مَنْصُورٍ، عن الْحَكَمِ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ قال: وَقَصَتْ بِرَجُلٍ مُحْرِمٍ نَاقَتُهُ فَقَتَلَتْهُ، فَأُتِيَ بِهِ رَسُولَ اللَّهِ ﷺ فقالَ: «**اغْسِلُوهُ وَكَفِّنُوهُ وَلاَ تُغَطُّوا رَأْسَهُ وَلاَ تُقَرِّبُوهُ طِيبًا فَإِنَّهُ يُبْعَثُ يُهِلُّ**».

(16/21) THE BOOK OF OATHS AND VOWS

[1] The Severe Punishment Of Taking False Oaths

3242- It is narrated on the authority of Imran Ibn Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath because of which he is sentenced (to punishment), let him occupy his seat (prone on) his face in the fire (of Hell)."

[2] When One Takes An Oath Therewith To Illegally Usurp The Property Of Another

3243- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath, in which he tells a lie, therewith to usurp unlawfully the property of another Muslim, will meet Allah while being angry with him." Al-Ash'ath told: "By Allah! This was said regarding me. There was a dispute about a piece of land between me and a man from the Jews who denied my right. I took him to The Prophet "Allah's blessing and peace be upon him". The Messenger of Allah "Allah's blessing and peace be upon him" asked me: "Do you have an evidence?" I replied: "No." He said to the Jew: "Take an oath." I said: "O Allah's Apostle! He will surely take an oath by which he will usurp my property unjustly." So, Allah revealed: "As for those who sell the Faith they own to Allah and their own plighted word for a small price, they shall have no portion in the Hereafter: nor will Allah (deign to) speak to them or look at them on the day of judgment, nor will he cleanse them (of sin): they shall have a grievous penalty." (Al Imran 77)

3244- It is narrated on the authority of Al-Ash'ath Ibn Qais that once, a man from Kindah disputed with another one from Hadramaut over a piece of land in Yemen before the Messenger of Allah "Allah's blessing and peace be upon him". The man of Hadramaut said: "O Messenger of Allah! It is my land, and it was illegally usurped by the father of this (my opponent), and now it is in his possession." The Messenger of Allah "Allah's blessing and peace be upon him" asked: "Do you have an evidence (in order to support your claim)?" he said: "No," but I take an oath by Allah that he knows for certain that it is my land, and his father was illegally usurped it." When the man of Kindah got ready to take an oath (to refute the claim) the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes a false oath in order to usurp illegally the property of another one, will meet Allah Who will be angry with him." On that the man of Kindah said: "I bear testimony that it is his land."

[21/16] ـ كتاب الأَيمان والنذور

[ت1/م1] ـ باب التغليظ في الأَيمان الفاجرة

3242 ـ حدّثنا مُحَمَّدُ بنُ الصَّبَّاحِ الْبَزَّازُ: حدَّثنا يَزِيدُ بنُ هَارُونَ قالَ: أخبرنا هِشَامُ بنُ حَسَّانَ، عن مُحَمَّدِ بنِ سِيرِينَ، عن عِمْرَانَ بنِ حُصَيْنٍ قالَ: قالَ النَّبِيُّ ﷺ: «**مَنْ حَلَفَ عَلَى يَمِينٍ مَصْبُورَةٍ كَاذِبًا فَلْيَتَبَوَّأْ بِوَجْهِهِ مَقْعَدَهُ مِنَ النَّارِ**».

[ت2/م0، 0] ـ باب فيمن حلف يمينًا ليقتطع بها مالاً لأَحد

3243 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى وَهَنَّادُ بنُ السَّرِيِّ، المَعْنَى، قالاَ: حدثنا أَبُو مُعَاوِيَةَ قال: حدَّثنا الأَعْمَشُ، عن شَقِيقٍ، عن عَبْدِ اللَّهِ قال: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ حَلَفَ عَلَى يَمِينٍ هُوَ فِيهَا فَاجِرٌ لِيَقْتَطِعَ بِهَا مَالَ امْرِىءٍ مُسْلِمٍ لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضْبَانُ**»، فَقَالَ الأَشْعَثُ: فِيَّ وَاللَّهِ كَانَ ذَلِكَ، كَانَ بَيْنِي وَبَيْنَ رَجُلٍ مِنَ الْيَهُودِ أَرْضٌ فَجَحَدَنِي فَقَدَّمْتُهُ إِلَى النَّبِيِّ ﷺ، فَقَالَ لِي النَّبِيُّ ﷺ: «**أَلَكَ بَيِّنَةٌ؟**» قُلْتُ: لاَ قالَ لِلْيَهُودِيِّ: «**احْلِفْ**»، قُلْتُ: يَا رَسُولَ اللَّهِ إِذًا يَحْلِفُ وَيَذْهَبُ بِمَالِي، فَأَنْزَلَ اللَّهُ تَعَالَى: ﴿**إِنَّ ٱلَّذِينَ يَشْتَرُونَ بِعَهْدِ ٱللَّهِ وَأَيْمَـٰنِهِمْ ثَمَنًا قَلِيلًا**﴾ [آل عمران: 77] إِلَى آخِرِ الآيَةِ.

3244 ـ حدّثنا مَحْمُودُ بنُ خَالِدٍ، قالَ: حدثنا الْفِرْيَابِيُّ، قال: حدَّثنا الْحَارِثُ بنُ سُلَيْمَانَ، قال: حَدَّثَنِي كُرْدُوسٌ، عن الأَشْعَثِ بنِ قَيْسٍ أَنَّ رَجُلاً مِنْ كِنْدَةَ وَرَجُلاً مِنْ حَضْرَمَوْتَ اخْتَصَمَا إِلَى النَّبِيِّ ﷺ فِي أَرْضٍ مِنَ الْيَمَنِ، فَقَالَ الْحَضْرَمِيُّ: يَا رَسُولَ اللَّهِ إِنَّ أَرْضِي اغْتَصَبَنِيهَا أَبُو هَذَا وَهِيَ فِي يَدِهِ، قالَ: «**هَلْ لَكَ بَيِّنَةٌ؟**» قَالَ: لاَ، وَلَكِنْ أُحَلِّفُهُ وَاللَّهُ يَعْلَمُ أَنَّهَا أَرْضِي اغْتَصَبَنِيهَا أَبُوهُ، فَتَهَيَّأَ الْكِنْدِيُّ لِلْيَمِينِ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَقْتَطِعُ أَحَدٌ مَالاً بِيَمِينٍ إِلاَّ لَقِيَ اللَّهَ وَهُوَ أَجْذَمُ**»، فَقَالَ الْكِنْدِيُّ: هِيَ أَرْضُهُ.

3245- It is narrated on the authority of Wa'il Ibn Hujr that he said: A man from Hadramaut and another from Kindah came to the Messenger of Allah "Allah's blessing and peace be upon him", and the former said: "O Messenger of Allah! This man (my opponent) overpowered me and usurped illegally my land from me, and it was in the possession of father." The latter said: "It is my own land: it is in my possession, and I'm cultivating it, and he has no right in it." The Messenger of Allah "Allah's blessing and peace be upon him" said to the man of Hadramaut: "Do you have an evidence?" he answered in the negative. He said: "Then, his (your opponent's) oath refutes your claim." He said: "O Messenger of Allah! He is a wicked man, and he does not care as for which he takes his oath, since he is too daring to do everything." The Messenger of Allah "Allah's blessing and peace be upon him" said: "You have nothing to do with him other than that." He went on carrying his oath, and when he turned back, the Messenger of Allah "Allah's blessing and peace be upon him" said: "Behold! If he takes an oath to usurp a property wrongfully, he will meet Allah Almighty (on the Day of Judgement) Who will turn away from him."

[3] The Gravity Of The Oath Near The Pulpit Of The Messenger Of Allah "Allah's Blessing And Peace Be Upon Him"

3246- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No one takes a false oath near this pulpit of mine, even though for a thing (as insignificant as) a green stick of brushing teeth, but that he will occupy his seat in the fire (or the fire (of Hell) will be assured to him."

[4] Swearing By Those Whom The Pagans Regard As Rival To Allah

3247- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath by Lati, should say: "There is no god (to be worshipped) but Allah; and he, who says to his companion: "Come to gamble you" should give anything in charity (in expiation for such a sin)."

[5] The Undesirability To Swear By Fathers

3248- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not swear by your fathers, nor by your mothers, nor by those whom you falsely regard as rivals (to Allah Almighty); and do not swear but by Allah; and do not swear by Allah unless you are true to your oath."

3245 ـ حدّثنا هَنَّادُ بنُ السَّرِيِّ، قالَ: حدَّثنا أبُو الأَحْوَصِ، عن سِمَاكٍ، عن عَلْقَمَةَ بنِ وَائِلِ بنِ حُجْرٍ الْحَضْرَمِيِّ، عن أَبِيهِ قالَ: جَاءَ رَجُلٌ مِنْ حَضْرَمَوْتَ وَرَجلٌ مِنْ كِنْدَةَ إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَ الْحَضْرَمِيُّ: يَا رَسُولَ اللَّهِ إِنَّ هَذَا غَلَبَنِي عَلَى أَرْضٍ كَانَتْ لأَبِي، فَقَالَ الْكِنْدِيُّ: هِيَ أَرْضِي فِي يَدِي أَزْرَعُهَا لَيْسَ لَهُ فِيهَا حَقٌّ. قالَ: فَقالَ النَّبِيُّ ﷺ لِلْحَضْرَمِيِّ: «**أَلَكَ بَيِّنَةٌ؟**» قالَ: لا، قَالَ: «**فَلَكَ يَمِينُهُ**» قالَ: يَا رَسُولَ اللَّهِ إِنَّهُ فَاجِرٌ لاَ يُبَالِي مَا حَلَفَ عَلَيْهِ لَيْسَ يَتَوَرَّعُ مِنْ شَيءٍ، فقالَ النَّبِيُّ ﷺ: «**لَيْسَ لَكَ مِنْهُ إِلاَّ ذَاكَ**»، فَانْطَلَقَ لِيَحْلِفَ لَهُ، فَلَمَّا أَدْبَرَ قالَ رَسُولُ اللَّهِ ﷺ: «**أَمَا لَئِنْ حَلَفَ لَهُ عَلَى مَالٍ لِيَأْكُلَهُ ظَالِمًا لَيَلْقَيَنَّ اللَّهَ وَهُوَ عَنْهُ مُعْرِضٌ**».

[ت3/م2] ـ باب ما جاء في تعظيم اليمين عند منبر النبي ﷺ

3246 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا ابنُ نُمَيْرٍ، قالَ: حدَّثنا هَاشِمُ بنُ هَاشِمٍ، قالَ: أخبرني عَبْدُ اللَّهِ بنُ نِسْطَاسٍ مِنْ آلِ كَثِيرِ بنِ الصَّلْتِ أَنَّهُ سَمِعَ جَابِرَ بنَ عَبْدِ اللَّهِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَحْلِفُ أَحَدٌ عِنْدَ مِنْبَرِي هَذَا عَلَى يَمِينٍ آثِمَةٍ وَلَوْ عَلَى سِوَاكٍ أَخْضَرَ، إِلاَّ تَبَوَّأَ مَقْعَدَهُ مِنَ النَّارِ، أَوْ وَجَبَتْ لَهُ النَّارُ**».

[ت4/م3] ـ باب الحلف بالأنداد

3247 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ، قالَ: حدَّثنا عَبْدُ الرَّزَّاقِ، قالَ: أخبرنا مَعْمَرٌ، عن الزُّهْرِيِّ، عن حُمَيْدِ بنِ عَبْدِ الرَّحْمَنِ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ حَلَفَ فقالَ فِي حَلْفِهِ وَاللاَّتِ، فَلْيَقُلْ: لاَ إِلَهَ إِلاَّ اللَّه، وَمَنْ قالَ لِصَاحِبِهِ: تَعَالَ أُقَامِرْكَ فَلْيَتَصَدَّقْ بِشَيْءٍ**».

[ت5/م4] ـ باب في كراهية الحلف بالآباء

3248 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ مُعَاذٍ: حدَّثنا أَبِي: حدَّثنا عَوْفٌ، عن مُحَمَّدِ بنِ سِيرِينَ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ تَحْلِفُوا بِآبَائِكُمْ وَلاَ بِأُمَّهَاتِكُمْ وَلاَ بِالأَنْدَادِ، وَلاَ تَحْلِفُوا إِلاَّ بِاللَّهِ، وَلاَ تَحْلِفُوا بِاللَّهِ إِلاَّ وَأَنْتُمْ صَادِقُونَ**».

3249- It is narrated on the authority of Umar Ibn Al-Khattab that the Messenger of Allah "Allah's blessing and peace be upon him" caught him while he was among some riders, and he was swearing by his father, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Indeed, Allah Almighty forbids you to swear by your fathers; and if it is necessity for anyone of you to take oath, let him then take oath by Allah Almighty, or let him keep silent."

3250- It is narrated on the authority of Umar Ibn Al-Khattab that he said: The Messenger of Allah "Allah's blessing and peace be upon him" heard me swearing by my father...and the rest is the same, in which he added: and by Allah, I've never taken oath by my father afterwards, even by way of relating or mentioning.

3251- It is narrated on the authority of Sa'd Ibn Abidah that once, Ibn Umar heard a man taking oath saying: "No, by the Ka'bah." On that he said to him: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who takes oath by anything other than Allah has, indeed, joined things with Allah (in worshipped)."

3252- It is narrated on the authority of Talhah Ibn Ubaidullah that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said in the narration of the Arab desert dweller (who came to know from him the fundamental principles of Islam, and took pledge to stick to them properly, with no increase nor decrease: "He will have been prosperous, by his father, if he has proved true (to his words)."

[6] The Undesirability To Swear By The Trust

3253- It is narrated on the authority of Ibn Buraidah from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who swears by the trust never belongs to us."

[7] What About The Thoughtlessness In Oaths

3254- It is narrated on the authority of Ata' that he said, concerning the thoughtlessness in oaths, that A'ishah said: The Messenger of Allah "Allah's blessing and peace be upon him" said about the thoughtlessness in oaths: "It belongs to the items of speech of the man in his house, such as: "No, by Allah! Nay, by Allah!" and so on."

Abu Dawud says: The same narration is transmitted by more than one on the authority of A'ishah, even though it is ended up with her.

3249 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا زُهَيْرٌ، عن عُبَيْدِ اللَّهِ بنِ عُمَرَ، عن نَافِعٍ، عن ابنِ عُمَرَ، عن عُمَرَ بنِ الْخَطَّابِ: أَنَّ رَسُولَ اللَّهِ ﷺ أَدْرَكَهُ وَهُوَ فِي رَكْبٍ وَهُوَ يَحْلِفُ بِأَبِيهِ فَقَالَ: «**إِنَّ اللَّهَ يَنْهَاكُمْ أَنْ تَحْلِفُوا بِآبَائِكُمْ، فَمَنْ كَانَ حَالِفًا فَلْيَحْلِفْ بِاللَّهِ أَوْ لِيَسْكُتْ**».

3250 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا عَبْدُ الرَّزَّاقِ: أخبرنا مَعْمَرٌ، عن الزُّهْرِيِّ، عن سَالِمٍ، عن أَبِيهِ، عن عُمَرَ رَضِيَ اللَّهُ عَنْهُ قَالَ: «سَمِعَنِي رَسُولُ اللَّهِ ﷺ» نَحْوَ مَعْنَاهُ إِلَى: «بِآبَائِكُمْ». زَادَ: قَالَ عُمَرُ: «فَوَاللَّهِ مَا حَلَفْتُ بِهَذَا ذَاكِرًا وَلاَ آثِرًا».

3251 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ: حدَّثنا ابنُ إِدْرِيسَ قال: سَمِعْتُ الْحَسَنَ بنَ عُبَيْدِ اللَّهِ، عَنْ سَعْدِ بنِ عُبَيْدَةَ قال: سَمِعَ ابنُ عُمَرَ رَجُلاً يَحْلِفُ: لاَ وَالْكَعْبَةِ، فَقَالَ لَهُ ابنُ عُمَرَ: إِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنْ حَلَفَ بِغَيْرِ اللَّهِ فَقَدْ أَشْرَكَ**».

3252 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ الْعَتَكِيُّ: حدَّثنا إِسْمَاعِيلُ بنُ جَعْفَرٍ الْمَدَنِيُّ، عن أَبِي سُهَيْلٍ نَافِعِ بنِ مَالِكِ بنِ أَبِي عَامِرٍ، عن أَبِيهِ أَنَّهُ سَمِعَ طَلْحَةَ بنَ عُبَيْدِ اللَّهِ ـ يَعْنِي فِي حَدِيثِ قِصَّةِ الأَعْرَابِيِّ ـ قال النَّبِيُّ ﷺ: «**أَفْلَحَ وَأَبِيهِ إِنْ صَدَقَ، دَخَلَ الْجَنَّةَ وَأَبِيهِ إِنْ صَدَقَ**».

[ت6/م5] ـ باب في كراهية الحلف بالأَمانة

3253 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا زُهَيْرٌ: حدَّثنا الْوَلِيدُ بنُ ثَعْلَبَةَ الطَّائِيُّ، عن ابنِ بُرَيْدَةَ، عن أَبِيهِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ حَلَفَ بالأَمَانَةِ فَلَيْسَ مِنَّا**».

[ت7/م6] ـ باب لغو اليمين

3254 ـ حدّثنا حُمَيْدُ بنُ مَسْعَدَةَ الشَّامِيُّ، قالَ: حدَّثنا حَسَّانُ ـ يَعني ابنَ إِبْرَاهِيمَ ـ قالَ: حدَّثنا إِبْرَاهِيمُ ـ يَعْنِي الصَّائِغَ ـ، عن عَطَاءٍ فِي اللَّغْوِ فِي الْيَمِينِ قالَ: قَالَتْ عَائِشَةُ: إِنَّ رَسُولَ اللَّهِ ﷺقالَ: «**هُوَ كَلاَمُ الرَّجُلِ فِي بَيْتِهِ، كَلاَّ واللَّهِ وَبَلَى وَاللَّهِ**».

قال أَبُو دَاوُدَ: وَكَانَ إِبْرَاهِيمُ الصَّائِغُ رَجُلاً صَالِحًا قَتَلَهُ أَبُو مُسْلِمٍ بِعَرَنْدَسَ، قالَ: وَكَانَ إِذَا رَفَعَ المِطْرَقَةَ فَسَمِعَ النِّدَاءَ سَيَّبَها.

قال أَبُو دَاوُدَ: رَوَى هَذَا الْحَدِيثَ دَاوُدُ بنُ أَبِي الْفُرَاتِ، عن إِبْرَاهِيمَ الصَّائِغِ مَوْقُوفًا عَلَى عَائِشَةَ، وَكَذَلِكَ رَوَاهُ الزُّهْرِيُّ وَعَبْدُ المَلِكِ بنُ أَبِي سُلَيْمَانَ وَمَالِكُ بنُ مِغْوَلٍ كُلُّهُمْ، عن عَطَاءٍ، عن عَائِشَةَ مَوْقُوفًا.

[8] What About Making Indication In Oaths

3255- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Your oath is counted in accordance with what such as for whom you take it believes you."

3256- It is narrated on the authority of Suwaid Ibn Hanzalah that he said: We set out with the intention to go to the Messenger of Allah "Allah's blessing and peace be upon him", and we had Wa'il Ibn Hujr among us, thereupon he was captured by an enemy to him, and since the people felt they would be put to critical situation if they swore (that he was their brother), I took an oath that he was my brother, and he was released on account of that. Then, we went to the Messenger of Allah "Allah's blessing and peace be upon him" and I made a mention to him of the fact that the people felt they would be put to critical situation if they swore (that he was their brother), I took an oath that he was my brother, and he was released on account of that. On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "You have told the truth: no doubt, a Muslim is the brother of a Muslim (in the religion of Allah)."

[9] What About Swearing By A Religion Other Than Islam

3257- It is narrated on the authority of Thabit Ibn Ad-Dahhak that he said: I gave the pledge of allegiance to the Messenger of Allah "Allah's blessing and peace be upon him" under the Tree, and the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes a false oath by another religion other than Islam is the same as he describes himself; and he, who commits suicide with anything, will be punished with it on the Day of Judgement; and no vow is binding upon anyone in what is not in his possession (or beyond his capacity)."

3258- It is narrated on the authority of Abdullah Ibn Buraidah from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes an oath that he is free from Islam: if he is false in his oath, he will be the same as he describes himself, and if he is true, he will never return to Islam as perfectly as he has been (before it)."

[10] When A Man Takes An Oath Not To Have Condiment

3259- It is narrated on the authority of Yusuf Ibn Abdullah Ibn Salam that he said: I saw the Messenger of Allah "Allah's blessing and peace be upon him" having placed a date on a fragment (of bread) and said: "This (date) is the condiment of that (fragment of bread)."

[ت8/م7] ـ باب المعاريض في اليمين

3255 ـ حدّثنا عَمْرُو بنُ عَوْنٍ قال: أخبرنا هُشَيْمٌ. (ح)، وحدّثنا مُسَدَّدٌ، قالَ: حدَّثنا هُشَيْمٌ، عن عَبَّادِ بنِ أبي صَالِحٍ، عن أَبِيهِ، عن أَبِي هُرَيْرَةَ قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**يَمِينُكَ عَلَى مَا يُصَدِّقُكَ عَلَيْهَا صَاحِبُكَ**».

قال مُسَدَّدٌ: قال: أخبرني عَبْدُ اللَّهِ بنُ أبي صَالِحٍ.

قال أَبُو دَاوُدَ: هُمَا وَاحِدٌ، عَبَّادُ بنُ أَبِي صَالِحٍ وَعَبْدُ اللَّهِ بنُ أَبِي صَالِحٍ.

3256 ـ حدّثنا عَمْرُو بنُ مُحَمَّدٍ النَّاقِدُ: حدَّثنا أَبُو أَحْمَدَ الزُّبَيْرِيُّ. قال: حدَّثنا إِسْرَائِيلُ، عن إِبْرَاهِيمَ بنِ عَبْدِ الأَعْلَى، عن جَدَّتِهِ، عن أَبِيهَا سُوَيْدِ بنِ حَنْظَلَةَ قال: خَرَجْنَا نُرِيدُ رَسُولَ اللَّهِ ﷺ وَمَعَنَا وَائِلُ بنُ حُجْرٍ فَأَخَذَهُ عَدُوٌّ لَهُ فَتَحَرَّجَ الْقَوْمُ أَنْ يَحْلِفُوا وَحَلَفْتُ أَنَّهُ أَخِي فَخَلَّى سَبِيلَهُ، فَأَتَيْنَا رَسُولَ اللَّهِ ﷺ فَأَخْبَرْتُهُ أَنَّ الْقَوْمَ تَحَرَّجُوا أَنْ يَحْلِفُوا وَحَلَفْتُ أَنَّهُ أَخِي، قال: «**صَدَقْتَ الْمُسْلِمُ أَخُو الْمُسْلِم**».

[ت9/م...] ـ باب ما جاء في الحلف بالبراءة وبملة غير الإسلام

3257 ـ حدّثنا أَبُو تَوْبَةَ الرَّبِيعُ بنُ نَافِعٍ: حدَّثنا مُعَاوِيَةُ بنُ سَلاَّم، عن يَحْيَى بنِ أَبِي كَثِيرٍ قال: أخبرني أَبُو قِلاَبَةَ أَنَّ ثَابِتَ بنَ الضَّحَّاكِ أَخْبَرَهُ: أَنَّهُ بَايَعَ رَسُولَ اللَّهِ ﷺ تَحْتَ الشَّجَرَةِ، أَنَّ رَسُولَ اللَّهِ ﷺ قال: «**مَنْ حَلَفَ بِمِلَّةٍ غَيْرِ مِلَّةِ الإِسْلاَمِ كَاذِبًا فَهُوَ كَمَا قَالَ، وَمَنْ قَتَلَ نَفْسَهُ بِشَيْءٍ عُذِّبَ بِهِ يَوْمَ الْقِيَامَةِ، وَلَيْسَ عَلَى رَجُلٍ نَذْرٌ فِيمَا لاَ يَمْلِكُهُ**».

3258 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا زَيْدُ بنُ الْحُبَابِ: حدَّثنا حُسَيْنٌ ـ يَعْنِي ابنَ وَاقِدٍ ـ: حَدَّثَنِي عَبْدُ اللَّهِ بنُ بُرَيْدَةَ، عن أَبِيهِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ حَلَفَ فَقَالَ: إِنِّي بَرِيءٌ مِنَ الإِسْلاَمِ فَإِنْ كَانَ كَاذِبًا فَهُوَ كَمَا قَالَ، وَإِنْ كَانَ صَادِقًا فَلَنْ يَرْجِعَ إِلَى الإِسْلاَمِ سَالِمًا**».

[ت10/م8] ـ باب الرجل يحلف أن لا يتأدَّم

3259 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى: حدَّثنا يَحْيَى بنُ الْعَلاَءِ، عن مُحَمَّدِ بنِ يَحْيَى بنِ حَبَّانَ، عن يُوسُفَ بنِ عَبْدِ اللَّهِ بنِ سَلاَّمٍ قال: رَأَيْتُ النَّبِيَّ ﷺ وَضَعَ تَمْرَةً عَلَى كِسْرَةٍ فَقَالَ: «**هَذِهِ إِدَامُ هَذِهِ**».

3260- A Hadith like this is narrated on the authority of Yusuf Ibn Abdullah Ibn Salam, through another chain of transmitters.

[11] Making Exception In The Oath (By Saying "Allah Willing")

3261- It is narrated on the authority of Ibn Umar that he said, tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him": "He, who takes an oath in which he said "Allah Willing" has indeed made exception (and this is more fitting to have his oath fulfilled)."

3262- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When one takes an oath, in which he makes exception: then, he could return if he so likes, or leave it if he so likes, with no breaking."

[12] What About The Oath Of The Messenger Of Allah "Allah's Blessing And Peace Be Upon Him"

3263- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him", most frequently, took his oath with those words: "No, by Him (Allah) Who turns the hearts."

3264- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" took a strong oath, he would say: "By Him, in Whose Hand is the soul of Abu Al-Qasim."

3265- It is narrated on the authority of Abu Hurairah that he said: The oath which the Messenger of Allah "Allah's blessing and peace be upon him" used to take was: "No, and I ask for Allah's Forgiveness."

3266- It is narrated on the authority of Laqit Ibn Amir that he set out to go to the Messenger of Allah "Allah's blessing and peace be upon him", and he said: When We came to the Messenger of Allah "Allah's blessing and peace be upon him"...and he mentioned a Hadith like the previous one.

[13] Is The Swearing Be Regarded As Oath?

3267- It is narrated on the authority of Ibn Abbas that Abu Bakr swore that the Messenger of Allah "Allah's blessing and peace be upon him" should tell him something, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Do not swear!"

3268- It is narrated on the authority of Ibn Abbas told that Abu Hurairah related from the Messenger of Allah "Allah's blessing and peace be upon him" : A man came to Allah's Apostle "Allah's blessing and peace be upon

3260 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ: حدَّثنا عُمَرُ بنُ حَفْصٍ قال: حدثنا أَبِي، عن مُحَمَّدِ بنِ أَبِي يَحْيَى، عن يَزِيدَ الأَعْوَرِ، عن يُوسُفَ بنِ عَبْدِ اللَّهِ بنِ سَلاَّمٍ مِثْلَهُ.

[ت11/م9] ـ باب الاستثناء في اليمين

3261 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ، قالَ: حدَّثنا سُفْيَانُ، عن أَيُوبَ، عن نَافِعٍ، عن ابنِ عُمَرَ يَبْلُغُ بِهِ النَّبِيَّ ﷺ قال: **«مَنْ حَلَفَ عَلَى يَمِينٍ فَقَالَ إِنْ شَاءَ اللَّهُ فَقَدِ اسْتَثْنَى»**.

3262 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى وَمُسَدَّدٌ، وَهَذَا حَدِيثُهُ، قالا: حدَّثنا عَبْدُ الْوَارِثِ، عن أَيُوبَ، عن نَافِعٍ، عن ابنِ عُمَر قال: قالَ رَسُولُ اللَّهِ: **«مَنْ حَلَفَ فَاسْتَثْنَى فَإِنْ شَاءَ رَجَعَ وَإِنْ شَاءَ تَرَكَ غَيْرَ حِنْثٍ»**.

[ت12/م...] ـ باب ما جاء في يمين النبي ﷺ ما كانت

3263 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ: حدَّثنا ابنُ المُبَارَكِ، عن مُوسَى بنِ عُقْبَةَ، عن سَالِمٍ، عن ابنِ عُمَرَ قال: أَكْثَرُ مَا كَانَ رَسُولُ اللَّهِ ﷺ يَحْلِفُ بِهَذِهِ الْيَمِينِ: **«لاَ وَمُقَلِّبِ الْقُلُوبِ»**.

3264 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا وَكِيعٌ: حدَّثنا عِكْرِمَةُ بنُ عَمَّارٍ، عن عَاصِمِ بنِ شُمَيْخٍ، عن أبي سَعِيدٍ الْخُدْرِيِّ قال: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا اجْتَهَدَ فِي الْيَمِينِ قال: **«وَالَّذِي نَفْسُ أَبِي الْقَاسِمِ بِيَدِهِ»**.

3265 ـ حدّثنا مُحَمَّدُ بنُ عَبْدِ الْعَزِيزِ بنِ أَبي رِزْمَةَ: أَخبرَنِي زَيْدُ بنُ حُبَابٍ: أَخبرَني مُحَمَّدُ بنُ هِلاَلٍ: حَدَّثَنِي أَبِي أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يَقُولُ: كَانَتْ يَمِينُ رَسُولِ اللَّهِ ﷺ إِذَا حَلَفَ يَقُولُ: **«لاَ وَأَسْتَغْفِرُ اللَّهَ»**.

3266 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا إِبْرَاهِيمُ بنُ حَمْزَةَ: حدَّثنا عَبْدُ المَلِكِ بنُ عَيَّاشٍ السَّمَعِيُّ الأَنْصَارِيُّ، عن دَلْهَمِ بنِ الأَسْوَدِ بنِ عَبْدِ اللَّهِ بنِ حَاجِبِ بنِ عَامِرِ بنِ المُنْتَفِقِ الْعُقَيْلِيِّ، عن أَبِيهِ، عن عَمِّهِ لَقِيطِ بنِ عَامِرٍ، قَالَ دَلْهَمٌ: وَحَدَّثَنِيهِ أَيْضًا الأَسْوَدُ بنُ عَبْدِ اللَّهِ، عن عَاصِمِ بنِ لَقِيطٍ: أَنَّ لَقِيطَ بنَ عَامِرٍ خَرَجَ وَافِدًا إِلَى النَّبِيِّ ﷺ، قالَ لَقِيطٌ: فَقَدِمْنَا عَلَى رَسُولِ اللَّهِ ﷺ فَذَكَرَ حَدِيثًا فِيهِ، فَقَالَ النَّبِيُّ ﷺ: **«لَعَمْرُ إِلٰهِكَ»**.

[ت13/م10] ـ باب في القسم هل يكون يمينًا

3267 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، عن عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ، عن ابنِ عَبَّاسٍ: أَنَّ أَبَا بَكْرٍ أَقْسَمَ عَلَى النَّبِيِّ ﷺ فَقَالَ لَهُ النَّبِيُّ ﷺ: **«لاَ تُقْسِمْ»**.

3268 ـ حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَارِسٍ: حدَّثنا عَبْدُ الرَّزَّاقِ قالَ ابنُ يَحْيَى: وَكَتَبْتُهُ مِنْ كِتَابِهِ قالَ: أَنبَأَنَا مَعْمَرٌ، عن الزُّهْرِيِّ، عن عُبَيْدِ اللَّهِ، عن ابنِ عَبَّاسٍ قال: كَانَ أَبُو هُرَيْرَةَ يُحَدِّثُ أَنَّ رَجُلاً أَتَى رَسُولَ اللَّهِ ﷺ فَقَالَ: إِنِّي أَرَى اللَّيْلَةَ فَذَكَرَ رُؤْيَا فَعَبَّرَهَا أَبُو بَكْرٍ فَقَالَ

him" and said: "I saw in a dream this night…" and he mentioned a vision, thereupon Abu Bakr said: "O Allah's Apostle! Allow me to interpret this dream." The Prophet "Allah's blessing and peace be upon him" said to him: "Interpret it." When he interpreted it he said: "O Allah's Apostle! Am I right or wrong?" The Prophet "Allah's blessing and peace be upon him" replied: "You are right in some of it and wrong in some." Abu Bakr said: "O Allah's Prophet! I swear that you must tell me in what I was wrong." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not swear."

3269- The same narration is transmitted on the authority of Ibn Abbas from the Messenger of Allah "Allah's blessing and peace be upon him", but no mention is made of the oath, and he added here that he did not tell him.

[14] When One Takes Oath Not To Eat A Certain Kind Of Food

3270- It is narrated on the authority of Abd Ar-Rahman Ibn Abu Bakr that he said: Some guests came to our house. My father used to (go and) talk to The Messenger of Allah "Allah's blessing and peace be upon him" during the night. While he was going he said: "I would not like to return before you have Entertained the guests." When it was evening we served the food to them, but they refused and said: "We would not eat unless Abu Bakr comes and joins us." When Abu Bakr came, he asked: "What have you done with your guests? Have you served the guests?" They (the members of the household) said: "We have not served them yet." I said: "I served them food but they refused to eat until you should come." They said: "He has told the truth. He served us with food, but we refused to eat until you should come." He said to them: "Why did you not accept our food?" they said: "Your (absence from your) position (as the inviter)." He said: "By Allah! I shall not take food tonight (since you did not eat)." They said: "By Allah, we shall not eat until you join us." He (Abu Bakr) said: "I have never seen a night worse than this. Woe to you! that you do not accept our food which was prepared for you. Bring the food." The food was brought, and he ate by mentioning the name of Allah and so did they. When it was morning he came to The Messenger of Allah "Allah's blessing and peace be upon him" and related to him the whole story, and what he and they had done thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "You are the most righteous among them, and most true to your oath."

3271- The same is narrated on the authority of Abd Ar-Rahman Ibn Abu Bakr, with the addition that he said: "No news of expiation have been reported to me pertaining to that oath."

النَّبِيُّ ﷺ: «**أَصَبْتَ بَعْضًا وَأَخْطَأْتَ بَعْضًا**»، فَقَالَ: أَقْسَمْتُ عَلَيْكَ يَا رَسُولَ اللَّهِ بِأَبِي أَنْتَ لَتُحَدِّثَنِّي مَا الَّذِي أَخْطَأْتُ، فَقَالَ لَهُ النَّبِيُّ ﷺ: «**لاَ تُقْسِمْ**».

3269 ـ حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَارِس، قالَ: أخبرنا مُحَمَّدُ بنُ كَثِيرٍ، أخبرنا سُلَيْمَانُ بنُ كَثِيرٍ، عن الزُّهْرِيِّ، عن عُبَيْدِ اللَّهِ، عن ابنِ عَبَّاسٍ، عن النَّبِيِّ ﷺ بِهَذَا الْحَدِيثِ، لَمْ يَذْكُرِ الْقَسَمَ. زَادَ فِيهِ: «**وَلَمْ يُخْبِرْهُ**».

[ت14/م11] ـ باب فيمن حلف على طعام لا يأكله

3270 ـ حدّثنا مُؤَمَّلُ بنُ هِشَامٍ، قالَ: حدَّثنا إِسْمَاعِيلُ، عن الْجُرَيْرِيِّ، عن أَبِي عُثْمَانَ، أَوْ عَنْ أَبِي السَّلِيلِ عَنْهُ، عن عَبْدِ الرَّحْمَنِ بنِ أَبِي بَكْرٍ، قال: نَزَلَ بِنَا أَضْيَافٌ لَنَا، قال: وَكَانَ أَبُو بَكْرٍ يَتَحَدَّثُ عِنْدَ رَسُولِ اللَّهِ ﷺ بِاللَّيْلِ، فَقَال: لاَ أَرْجِعَنَّ إِلَيْكَ حَتَّى تَفْرُغَ مِنْ ضِيَافَةِ هٰؤُلاَءِ وَمِنْ قِرَاهُمْ، فَأَتَاهُمْ بِقِرَاهُمْ فَقَالُوا: لاَ نَطْعَمُهُ حَتَّى يَأْتِيَ أَبُو بَكْرٍ.

فَجَاءَ فَقَالَ: مَا فَعَلَ أَضْيَافُكُمْ، أَفَرَغْتُمْ مِنْ قِرَاهُمْ؟ قالُوا: لاَ. قُلْتُ: قَدْ أَتَيْتُهُمْ بِقِرَاهُمْ فَأَبَوْا وَقَالُوا: وَاللَّهِ لاَ نَطْعَمُهُ حَتَّى يَجِيءَ، فَقَالُوا: صَدَقَ قَدْ أَتَانَا بِهِ فَأَبَيْنَا حَتَّى تَجِيءَ، قال: فَمَا مَنَعَكُمْ؟ قَالُوا: مَكَانُكَ، قال: فَوَاللَّهِ لاَ أَطْعَمُهُ اللَّيْلَةَ، قال: فَقَالُوا: وَنَحْنُ وَاللَّهِ لاَ نَطْعَمُهُ حَتَّى تَطْعَمَهُ، قالَ: مَا رَأَيْتُ فِي الشَّرِّ كَاللَّيْلَةِ قَطُّ، قال: قَرِّبُوا طَعَامَكُمْ، قال: فَقُرِّبَ طَعَامُهُمْ، فقالَ: بِسْمِ اللَّهِ فَطَعِمَ وَطَعِمُوا.

فَأُخْبِرْتُ أَنَّهُ أَصْبَحَ، فَغَدَا عَلَى النَّبِيِّ ﷺ فَأَخْبَرَهُ بِالَّذِي صَنَعَ وَصَنَعُوا، قال: «**بَلْ أَنْتَ أَبَرُّهُمْ وَأَصْدَقُهُمْ**».

3271 ـ حدّثنا ابنُ الْمُثَنَّى، قال: حدَّثنا سَالِمُ بنُ نُوحٍ وَعَبْدُ الأَعْلَى، عن الْجُرَيْرِيِّ، عن أَبِي عُثْمَانَ، عن عَبْدِ الرَّحْمَنِ بنِ أَبِي بَكْرٍ بِهَذَا الْحَدِيثِ نَحْوَهُ، زَادَ عن سَالِمٍ فِي حَدِيثِهِ قال: «وَلَمْ يَبْلُغْنِي كَفَّارَةٌ».

[15] When An Oath Is Taken To Sever The Relation With One's Kith And Kin

3272- It is narrated on the authority of Sa'id Ibn Al-Musayyab that two brothers from amongst the Ansar had a common property to be jointly inherited by both; and one of them asked the other that it should be divided between them, thereupon he said: "If you talk to me once again about the division of the property, I swear that the whole of my property will be given as a gift to the Ka'bah." On that Umar said to him: "Indeed, the Ka'bah is not in need of your property. Make expiation for your oath, and talk your brother (for the division of your property). I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "No oath is binding upon you (in such a case), and no vow is binding in what leads to the disobedience of the Lord, nor in severing the relation with kinship, nor in what is not in your possession.""'

3273- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow is binding unless with it Allah's Countenance is intended, and no oath is binding as far as severing the relation with one's kith and kin is concerned."

3274- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow nor oath is binding upon everyone in what is not in the possession of man, nor is it in what leads to the disobedience of Allah, nor is it in severing the relation with kith and kin; and if one takes an oath for something, and then he finds it better to do another thing, let him do what is better, and leave the former one (for which he takes oath), and makes expiation for (leaving) it."

Abu Dawud says: Almost all the narrations related from the Messenger of Allah "Allah's blessing and peace be upon him" affirm that one should make expiation for leaving his oath, unless it is thoughtless.

[16] When One Takes A False Oath Intentionally

3275- It is narrated on the authority of Ibn Abbas that two foes appealed to the Messenger of Allah "Allah's blessing and peace be upon him" to judge between them, and the Messenger of Allah "Allah's blessing and peace be upon him" asked the claimant to bring his evidence, but he had no evidence, and he asked the defendant to take an oath, and he took an oath by Allah other than Whom there is no god, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "nay! You've done

[ت15/م12] ـ باب اليمين في قطيعة الرحم

3272 ـ حدّثنا مُحَمَّدُ بنُ المِنْهَالِ، قال: حدَّثنا يَزِيدُ بنُ زُرَيْعٍ، قال: حدَّثنا حَبِيبٌ المُعَلِّمُ، عن عَمْرِو بنِ شُعَيْبٍ، عن سَعِيدِ بنِ المُسَيَّبِ: أَنَّ أَخَوَيْنِ مِنَ الأَنْصَارِ كَانَ بَيْنَهُمَا مِيرَاثٌ فَسَأَلَ أَحَدُهُمَا صَاحِبَهُ الْقِسْمَةَ، فَقَالَ: إِنْ عُدْتَ تَسْأَلُنِي عنْ الْقِسْمَةِ فَكُلُّ مَالِي فِي رِتَاجِ الْكَعْبَةِ، فقالَ لَهُ عُمَرُ: إِنَّ الْكَعْبَةَ غَنِيَّةٌ عَنْ مَالِكَ، كَفِّرْ عَنْ يَمِينِكَ وَكَلِّمْ أَخَاكَ، سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**لاَ يَمِينَ عَلَيْكَ، وَلاَ نَذْرَ فِي مَعْصِيَةِ الرَّبِّ، وَفِي قَطِيعَةِ الرَّحِمِ، وَفِيمَا لاَ تَمْلِكُ**».

3273 ـ حدّثنا أَحْمَدُ بنُ عَبْدَةَ الضَّبِّيُّ: أخبرنا المُغِيرَةُ بنُ عَبْدِ الرَّحْمَنِ: حَدَّثَنِي أَبِي عَبْدِ الرَّحْمَنِ، عنْ عَمْرِو بنِ شُعَيْبٍ، عنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لاَ نَذْرَ إِلاَّ فِيمَا يُبْتَغَى بِهِ وَجْهُ اللَّهِ، وَلاَ يَمِينَ فِي قَطِيعَةِ رَحِمٍ**».

3274 ـ حدّثنا المُنْذِرُ بنُ الْوَلِيدِ، قالَ: حدَّثنا عَبْدُ اللَّهِ بنُ بَكْرٍ، قال: حدَّثنا عُبَيْدُ اللَّهِ بنُ الأَخْنَسِ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ، قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ نَذْرَ وَلاَ يَمِينَ فِيمَا لاَ يَمْلِكُ ابنُ آدَمَ، وَلاَ فِي مَعْصِيَةِ اللَّهِ، وَلاَ فِي قَطِيعَةِ رَحِمٍ؛ وَمَنْ حَلَفَ عَلَى يَمِينٍ فَرَأَى غَيْرَهَا خَيْرًا مِنْهَا فَلْيَدَعْهَا وَلْيَأْتِ الَّذِي هُوَ خَيْرٌ، فَإِنَّ تَرْكَهَا كَفارَتُهَا**».

قال أَبُو دَاوُدَ: الأَحَادِيثُ كُلُّهَا عن النَّبِيِّ ﷺ «**وَلْيُكَفِّرْ عَنْ يَمِينِهِ**» إلاَّ فِيمَا لاَ يُعْبَأُ بِهِ.

قال أَبُو دَاوُدَ: قُلْتُ لأَحْمَدَ: رَوَى يَحْيَى بنُ سَعِيدٍ عن يَحْيَى بنِ عُبَيْدِ اللَّهِ؟ فقالَ: تَرَكَهُ بَعْدَ ذَلِكِ، وَكَانَ أَهْلاً لِذَلِكَ. قَالَ أَحْمَدُ: أَحادِيثُهُ مَنَاكِيرُ وَأَبُوهُ لاَ يُعْرَفُ.

[ت16/م13] ـ باب فيمن يحلف كاذبًا متعمدًا

3275 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ: أخبرنَا عَطَاءُ بنُ السَّائِبِ، عن أَبِي يَحْيَى، عن ابنِ عَبَّاسٍ: أَنَّ رَجُلَيْنِ اخْتَصَمَا إِلَى النَّبِيِّ ﷺ، فَسَأَلَ النَّبِيُّ ﷺ الطَّالِبَ الْبَيِّنَةَ، فَلَمْ تَكُنْ لَهُ بَيِّنَةٌ، فَاسْتَحْلَفَ المَطْلُوبَ، فَحَلَفَ باللَّهِ الَّذِي لاَ إِلَهَ إِلاَّ هُوَ، فقالَ رَسُولُ اللَّهِ ﷺ: «**بَلَى قَدْ فَعَلْتَ ولَكِنْ قَدْ غُفِرَ**

so (which is in opposition to your oath)! But you've been forgiven by your sincere faith in (the fact that) there is no god but Allah."

Abu Dawud says: The significance of this narration is that he did not order him to make expiation for his oath.

[17] When One Makes Expiation For His Oath Before Breaking It

3276- It is narrated on the authority of Abu Burdah from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "By Allah's Will, I never take an oath for something, and then fids it better to do a different thing, but that I always make expiation for my oath, and do what is better (or do what is better and then make expiation for my oath)."

3277- It is narrated on the authority of Abd Ar-Rahman Ibn Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "O Abd Ar-Rahman Ibn Samurah! When you take an oath for something, and you come to find it better to do a different thing, then, do that which is better, and make expiation for your oath."

Abu Dawud says: I heard Ahmad Ibn Hanbal having given concession pertaining to making expiation before breaking the oath.

3278- It is narrated on the authority of Abd Ar-Rahman Ibn Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Make expiation for your oath, and then do that which is better."

Abu Dawud says: Pertaining to the narrations of Abu Musa, Adi Ibn Hatim, and Abu Hurairah, according to some, expiation should be made before breaking the oath, and according to others, the oath might be broken before making expiation for it.

[18] How Large Is The Sa' (Of Foodstuff) Used In Making Expiation For Oath?

3279- It is narrated on the authority of Umm Habib Bint Dhu'aib Ibn Qais Al-Muzniyyah, and she was the wife of a man belonging to Aslam, then she became the wife of a nephew of Safiyyah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", that she granted to us a Sa', and told us on the authority of the nephew of Safiyyah from Safiyyah that it was the Sa' of the Messenger of Allah "Allah's blessing and peace be upon him". Anas said: I guessed it to be as large as to contain two Mudds and a half.

لَكَ بِإِخْلَاصِ قَوْلِ لاَ إِلَهَ إِلاَّ اللَّه».

قال أَبُو دَاوُدَ: يُرَادُ من هَذَا الْحَدِيثِ أَنَّهُ لَمْ يَأْمُرْهُ بالْكَفَّارَةِ.

[ت17/م14] ـ باب الرجل يُكَفِّرُ قبل أن يحنث

3276 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ: حدَّثنا حَمَّادُ: حدَّثنا غَيْلاَنُ بنُ جَرِيرٍ، عن أَبِي بُرْدَةَ، عن أَبِيهِ أَنَّ النَّبِيَّ ﷺ قالَ: **«إِنِّي وَاللَّهِ إِنْ شَاءَ اللَّهُ لاَ أَحْلِفُ عَلَى يَمِينٍ فَأَرَى غَيْرَهَا خَيْرًا مِنْهَا إِلاَّ كَفَّرْتُ يَمِينِي وَأَتَيْتُ الَّذِي هُوَ خَيْرٌ»**، أَوْ قَالَ: **«إِلاَّ أَتَيْتُ الَّذِي هُوَ خَيْرٌ وَكَفَّرْتُ يَمِينِي»**.

3277 ـ حدّثنا مُحَمَّدُ بنُ الصَّبَّاحِ الْبَزَّازُ: حدَّثنا هُشَيْمٌ، قالَ: حدَّثنا يُونُسُ وَمَنْصُورٌ ـ يَعْنِي ابنَ زَاذَانَ ـ، عن الْحَسَنِ، عن عَبْدِ الرَّحْمَنِ بنِ سَمُرَةَ قالَ: قالَ لِيَ النَّبِيُّ ﷺ: **«يَا عَبْدَ الرَّحْمَنِ بنَ سَمُرَةَ إِذَا حَلَفْتَ عَلَى يَمِينٍ فَرَأَيْتَ غَيْرَهَا خَيْرًا مِنْهَا فَأْتِ الَّذِي هُوَ خَيْرٌ وَكَفِّرْ يَمِينَكَ»**.

قال أَبُو دَاوُدَ: سَمِعْتُ أَحْمَدَ يُرَخِّصُ فِيهَا الْكَفَّارَةَ قَبْلَ الْحِنْثِ.

3278 ـ حدّثنا يَحيَى بنُ خَلَفٍ: حدَّثنا عَبْدُ الأَعْلَى، قال: حدَّثنا سَعِيدٌ، عن قَتَادَةَ، عن الْحَسَنِ، عن عَبْدِ الرَّحْمَنِ بنِ سَمُرَةَ قال: **«فَكَفِّرْ عَنْ يَمِينِكَ ثُمَّ ائْتِ الَّذِي هُوَ خَيْرٌ»**.

قال أَبُو دَاوُدَ: أَحَادِيثُ أَبِي مُوسَى الأَشْعَرِيِّ وَعَدِيِّ بنِ حَاتِمٍ وَأَبِي هُرَيْرَةَ فِي هَذَا الْحَدِيثِ رُوِيَ عن كُلِّ وَاحِدٍ مِنْهُمْ فِي بَعْضِ الرِّوَايَةِ الْحِنْثُ قَبْلَ الْكَفَّارَةِ، وَفِي بَعْضِ الرِّوَايَةِ الْكَفَّارَةُ قَبْلَ الْحِنْثِ.

[ت18/م15] ـ باب كم الصاع في الكفارة

3279 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ، قال: قَرَأْتُ عَلَى أَنَسِ بنِ عِيَاضٍ، قال: حَدَّثَنِي عَبْدُ الرَّحْمَنِ بنُ حَرْمَلَةَ، عن أُمِّ حَبِيبٍ بِنْتِ ذُؤَيْبِ بنِ قَيْسٍ الْمُزَنِيَّةِ. وَكَانَتْ تَحتَ رَجُلٍ مِنْهُمْ مِنْ أَسْلَمَ، ثُمَّ كَانَتْ تَحتَ ابنِ أَخٍ لِصَفِيَّةَ زَوجِ النَّبِيِّ ﷺ. قالَ ابنُ حَرْمَلَةَ: فَوَهَبَتْ لَنَا أُمُّ حَبِيبٍ صَاعًا حَدَّثَتْنَا عن ابنِ أَخِي صَفِيَّةَ عن صَفِيَّةَ أَنَّهُ صَاعُ النَّبِيِّ ﷺ قالَ أَنَسٌ: «فَجَرَّبْتُهُ ـ أَوْ قال: فَحَزَرْتُهُ ـ فَوَجَدْتُهُ مُدَّيْنِ وَنِصْفًا بِمُدِّ هِشَامٍ».

3280- It is narrated on the authority of Muhammad Ibn Muhammad Ibn Khallad: Abu Umar that he said: We had got a measurement unit called the Sa' of Khalid, or the Sa' of Hisham, i.e. Hisham Ibn Abd Al-Malik.

3281- It is narrated on the authority of Umayyah Ibn Khalid that he said: When Khalid Al-Qasri was appointed as governor, he made twofold the size of the Sa' which came to be as large as sixteen pounds.

[19] What About The Believing Slave

3282- It is narrated on the authority of Mu'awiyah Ibn Al-Hakam As-Sulami that he said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! I have a slave-girl, whom I slapped on her face once." The Messenger of Allah "Allah's blessing and peace be upon him" felt (what I had done) as something of seriousness, thereupon I said: "O Messenger of Allah! Would I not emancipate her?" He said: "Bring her to me." I brought her to him. He asked her: "Where is Allah?" She said: "He is in the heaven." He said: "Who am I?" She said: "You are The Messenger of Allah "Allah's blessing and peace be upon him"." He said (addressing me): "Manumit her, for she is a believing woman."

3283- It is narrated on the authority of Ash-Sharid that his mother recommended him to manumit a believing slave-girl on her behalf. He went to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! My mother recommended me to manumit a believing slave-girl on her behalf, and I have a black slave-girl..."and the rest is the same.

3284- It is narrated on the authority of Abu Hurairah that a man brought a black slave-girl to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! Manumitting a believing slave is due upon me: (what about this slave-girl?)" the Messenger of Allah "Allah's blessing and peace be upon him" asked her: "Where is Allah?" she beckoned with her fingers to the heaven. He further asked her: "Who am I?" she beckoned to him and then to the heaven, indicating that he is the Messenger of Allah "Allah's blessing and peace be upon him", Who is in the heaven. On that the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Manumit her, for she is a believing girl."

[20] Making Exception In The Oath After Silence

3285- It is narrated on the authority of Ikrimah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "By Allah! I'm going to attack the Quraish people! By Allah! I'm going to attack the Quraish

3280 ـ حدّثنا مُحَمَّدُ بنُ مُحَمَّدِ بنِ خَلاَّدٍ أَبُو عُمَرَ قال: «كَانَ عِنْدَنَا مَكُوكٌ يُقَالُ لَهُ: مَكُّوكُ خَالِدٍ وَكَانَ كَيْلَجَتَيْنِ بِكَيْلَجَةِ هَارُونَ».

قال مُحَمَّدٌ: صَاعُ خَالِدٍ صَاعُ هِشَامٍ، يَعْنِي ابنَ مَالِكٍ.

3281 ـ حدّثنا مُحَمَّدُ بنُ مُحَمَّدِ بنِ خَلاَّدٍ أَبُو عُمَرَ: حدَّثنا مُسَدَّدٌ، عن أُمَيَّةَ بنِ خَالِدٍ قال: «لَمَّا وُلِّيَ خَالِدٌ الْقَسْرِيُّ أَضْعَفَ الصَّاعَ فَصَارَ الصَّاعُ سِتَّةَ عَشَرَ رَطْلاً».

قال أَبُو دَاوُدَ: مُحَمَّدُ بنُ مُحَمَّدِ بنِ خَلاَّدٍ قَتَلَهُ الزَّنْجُ صَبْرًا، فَقَال بِيَدِهِ هَكَذَا، وَمَدَّ أَبُو دَاوُدَ يَدَهُ وَجَعَلَ بُطُونَ كَفَّيْهِ إِلَى الأَرْضِ، قالَ: وَرَأَيْتُهُ فِي النَّوْمِ فَقُلْتُ: مَا فَعَلَ اللَّهُ بِكَ؟ فَقَالَ: أَدْخَلَنِي الْجَنَّةَ، قُلْتُ: فَلَمْ يَضُرَّكَ الْوَقْفُ.

[ت19/م16] ـ باب في الرقبة المؤمنة

3282 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن الْحَجَّاجِ الصَّوَّافِ: حَدَّثَنِي يَحْيَى بنُ أَبِي كَثِيرٍ، عن هِلاَلِ بنِ أَبِي مَيْمُونَةَ، عن عَطَاءِ بنِ يَسَارٍ، عن مُعَاوِيَةَ بنِ الْحَكَمِ السُّلَمِيِّ قال: قُلْتُ: يَا رَسُولَ اللَّهِ جَارِيَةٌ لِي صَكَكْتُهَا صَكَّةً؟ فَعَظَّمَ ذَلِكَ عَلَيَّ رَسُولُ اللَّهِ ﷺ، فَقُلْتُ: أَفَلاَ أُعْتِقُهَا؟ قال: **«ائْتِنِي بِهَا»**. قال: فَجِئْتُ بِهَا. قال: **«أَيْنَ اللَّهُ؟»** قالَتْ: فِي السَّمَاءِ. قال: **«مَنْ أَنَا؟»** قالَتْ: أَنْتَ رَسُولُ اللَّهِ ﷺ. قال: **«أَعْتِقْهَا فَإِنَّهَا مُؤْمِنَةٌ»**.

3283 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن مُحَمَّدِ بنِ عَمْرٍو، عن أَبِي سَلَمَةَ، عن الشَّرِيدِ: «أَنَّ أُمَّهُ أَوْصَتْهُ أَنْ يُعْتِقَ عَنْهَا رَقَبَةً مُؤْمِنَةً، فَأَتَى النَّبِيَّ ﷺ فَقَالَ: يَا رَسُولَ اللَّهِ إِنَّ أُمِّي أَوْصَتْ أَنْ أُعْتِقَ عَنْهَا رَقَبَةً مُؤْمِنَةً وَعِنْدِي جَارِيَةٌ سَوْدَاءُ نُوبِيَّةٌ» فَذَكَرَ نَحْوَهُ.

قال أَبُو دَاوُدَ: خَالِدُ بنُ عَبْدِ اللَّهِ أَرْسَلَهُ لَمْ يَذْكُر الشَّرِيدَ.

3284 ـ حدّثنا إِبْرَاهِيمُ بنُ يَعْقُوبَ الْجَوْزَجَانِيُّ: حدَّثنا يَزِيدُ بنُ هَارُونَ، قالَ: أَخبرني الْمَسْعُودِيُّ، عن عَوْنِ بنِ عَبْدِ اللَّهِ، عن عَبْدِ اللَّهِ بنِ عُتْبَةَ، عن أَبِي هُرَيْرَةَ: أَنَّ رَجُلاً أَتَى النَّبِيَّ ﷺ بِجَارِيَةٍ سَوْدَاءَ فَقَالَ: يَا رَسُولَ اللَّهِ إِنَّ عَلَيَّ رَقَبَةً مُؤْمِنَةً، فَقَالَ لَهَا: **«أَيْنَ اللَّهُ؟»** فَأَشَارَتْ إِلَى السَّمَاءِ بِإِصْبَعِهَا، فَقَالَ لَهَا: **«فَمَنْ أَنَا؟»** فَأَشَارَتْ إِلَى النَّبِيِّ ﷺ وَإِلَى السَّمَاءِ ـ يَعْنِي أَنْتَ رَسُولُ اللَّهِ ﷺ ـ فَقَالَ: **«أَعْتِقْهَا فَإِنَّهَا مُؤْمِنَةٌ»**.

[ت20/م17] ـ باب الاستثناء في اليمين بعد السكوت

3285 ـ حدّثنا قُتَيْبَةُ ـ يَعْنِي ابنَ سَعِيدٍ ـ، قالَ: حدَّثنا شَرِيكٌ، عن سِمَاكٍ، عن عِكْرِمَةَ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«وَاللَّهِ لأَغْزُوَنَّ قُرَيْشًا، وَاللَّهِ لأَغْزُوَنَّ قُرَيْشًا، وَاللَّهِ**

people! By Allah! I'm going to attack the Quraish people!" then he added: "Allah Willing."

Abu Dawud says: This narration is ascribed by more than one to Ikrimah from Ibn Abbas from the Messenger of Allah "Allah's blessing and peace be upon him", and it is said that he did not attack them.

3286- It is narrated on the authority of Ikrimah that tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "By Allah! I'm going to attack the Quraish people!" then he added: "Allah Willing." Then, he said once again: "By Allah! I'm going to attack the Quraish people If Allah Almighty wills!" he said for the third time: "By Allah! I'm going to attack the Quraish people!" then he kept silent for a while after which he added: "Allah Willing." But he did not attack them.

[21] It Is Undesirable To Make A Vow

3287- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade to make vows and said: "No doubt, it (the vow) never averts anything (pertaining to the Divine Decree), but with the help of it, something might be taken out of the property of the niggard (without which he is not to give it)."

3288- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said (relating from Allah Almighty): "Never does the vow lead to anything I've not decreed for mankind, but when it is made, it happens to agree with what I've decreed for him, therewith something might be taken out of the property of a niggard, without which he was not to give it earlier."

[22] What About Making Vow In Disobedience Of Allah

3289- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who vows to obey Allah, let him obey Allah; and he who vows to disobey Allah, let not him disobey Allah."

[23] The Opinion That Expiation Should Be Made For The Vow When It Is In Disobedience Of Allah

3290- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow in disobedience of Allah is valid; and its expiation is the same as the expiation of an oath."

لأغْزُوَنَّ قُرَيْشًا»، ثُمَّ قَالَ: «**إِنْ شَاءَ اللَّهُ**».

قال أَبُو دَاوُدَ: وَقَدْ أَسْنَدَ هَذَا الْحَدِيثَ غَيْرُ وَاحِدٍ، عن شَرِيكٍ، عن سِمَاكٍ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ، أَسْنَدَهُ عن النَّبِيِّ ﷺ، وَقَالَ الْوَلِيدُ بنُ مُسْلِمٍ عن شَرِيكٍ: «ثُمَّ لَمْ يَغْزُهُمْ».

3286 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ، قالَ: أخبرنا ابنُ بِشْرٍ، عن مِسْعَرٍ، عن سِمَاكٍ، عن عِكْرِمَةَ يَرْفَعُهُ قالَ: «**واللَّهِ لأغْزُوَنَّ قُرَيْشًا**»، ثُمَّ قَالَ: «**إِنْ شَاءَ اللَّهُ**»، ثُمَّ قَالَ: «**وَاللَّهِ لأغْزُوَنَّ قُرَيْشًا إِنْ شَاءَ اللَّهُ تَعَالَى**»، ثُمَّ قَالَ: «**وَاللَّهِ لأغْزُوَنَّ قُرَيْشًا**»، ثُمَّ سَكَتَ، ثُمَّ قَالَ: «**إِنْ شَاءَ اللَّهُ**».

قال أَبُو دَاوُدَ: زَادَ فِيهِ الْوَلِيدُ بنُ مِسْلِمٍ عن شَرِيكٍ قال: «ثُمَّ لَمْ يَغْزُهُمْ».

[ت21/م18] ـ باب النَّهي عن النذر

3287 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا جَرِيرُ بنُ عَبْدِ الْحَمِيدِ. (ح)، وحدَّثنا مُسَدَّدٌ: حدَّثنا أَبُو عَوَانَةَ، عن مَنْصُورٍ، عن عَبْدِ اللَّهِ بنِ مُرَّةَ، قال عُثْمَانُ الْهَمْدَانِيُّ: عن عَبْدِ اللَّهِ بنِ عُمَرَ قال: أَخَذَ رَسُولُ اللَّهِ ﷺ يَنْهَى عنْ النَّذْرِ، ثُمَّ اتَّفَقَا وَيَقُولُ: «**لاَ يَرُدُّ شَيْئًا وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ**». قالَ مُسَدَّدٌ: قالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ النَّذْرَ لاَ يَرُدُّ شَيْئًا**».

3288 ـ حدّثنا أَبُو دَاوُدَ قال: قُرِىءَ عَلَى الْحَارِثِ بنِ مِسْكِينٍ وَأَنَا شَاهِدٌ: أَخْبَرَكُمْ ابنُ وَهْبٍ، قال: أخبرني مَالِكٌ، عن أَبِي الزِّنَادِ، عن عَبْدِ الرَّحْمَنِ بنِ هُرْمُزَ، عن أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لاَ يَأْتِي ابنَ آدَمَ النَّذْرُ الْقَدَرَ بِشَيْءٍ لَمْ أَكُنْ قَدَّرْتُهُ لَهُ وَلَكِنْ يُلْقِيهِ النَّذْرُ الْقَدَرَ قَدَّرْتُهُ، يُسْتَخْرَجُ مِنَ الْبَخِيلِ، يُؤْتَى عَلَيْهِ مَا لَمْ يَكُنْ يُؤْتَى مِنْ قَبْلُ**».

[ت22/م19] ـ باب ما جاء في النذر في المعصية

3289 ـ حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ عَنْ طَلْحَةَ بنِ عَبْدِ الْمَلِكِ الأَيْلِيِّ، عن الْقَاسِمِ، عن عَائِشَةَ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِعْهُ، وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلاَ يَعْصِهِ**».

[ت23/م000] ـ باب من رأى عليه كفارة إذا كان في معصية

3290 ـ حدّثنا إِسْمَاعِيلُ بنُ إِبْرَاهِيمَ أَبُو مَعْمَرٍ: حدَّثنا عَبْدُ اللَّهِ بنُ الْمُبَارَكِ، عن يُونُسَ، عن الزُّهْرِيِّ، عن أَبِي سَلَمَةَ، عن عَائِشَةَ أَنَّ النَّبِيَّ ﷺ قَالَ: «**لاَ نَذْرَ فِي مَعْصِيَةٍ وَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ**».

3291- The same is narrated on the authority of Ibn Shihab, through the same chain of transmitters.

Abu Dawud indicates, depending upon the narration of Ibn Al-Mubarak, which refers to the fact that Az-Zuhri did not hear it directly from Abu Salamah, and the confirmation of Ahmad Ibn Hanbal, that this Hadith is not authentic.

3292- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No vow in disobedience of Allah is valid; and its expiation is the same as the expiation of an oath."

Ahmad Ibn Muhammad Al-Marwazi tells that the narration is transmitted on the authority of Imran Ibn Husain, from the Messenger of Allah "Allah's blessing and peace be upon him"; and this means that Sulaiman Ibn Arqam committed a mistake when he ascribed it to Abu Salamah from A'ishah, as related by Az-Zuhri.

Abu Dawud says: A Hadith like this is narrated on the authority of Muhammad Ibn Az-Zubair.

3293- It is narrated on the authority of Uqbah Ibn Amir that he told the Messenger of Allah "Allah's blessing and peace be upon him" that a sister of his vowed to perform Hajj as walking barefooted with no face-cover, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Order her to have a face-cover, and ride (on her journey to perform Hajj), and to observe three fasts (in expiation for breaking her vow)."

3294- The same is narrated on the authority of Abu Sa'id Ar-Ra'ini, through the same chain of transmitters.

3295- It is narrated on the authority of Ibn Abbas that a man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! My sister vowed to (set out on journey to) perform Hajj on foot." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah does nothing with the trouble to which your sister intends to put herself: let her (set out on journey to) perform Hajj as riding, and make expiation for her (vow, like that of) oath."

3296- It is narrated on the authority of Ibn Abbas that the sister of Uqbah Ibn Amir vowed to walk on foot to the house to perform Hajj, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" ordered her to ride a mount, and offer a sacrifice (in expiation for breaking her vow).

3291 ـ حدّثنا ابنُ السَّرْحِ، قالَ: أخبرنا ابنُ وَهْبٍ، عن يُونُسَ، عن ابنِ شِهَابٍ، بِمَعْنَاهُ وَإِسْنَادِهِ.

قال أَبُو دَاوُدَ: سَمِعْتُ أَحْمَدَ بنَ شَبُّوَيْهِ يَقُولُ: قال ابنُ المُبَارَكِ، يَعْنِي فِي هَذَا الْحَدِيثِ، حَدَّثَ أَبُو سَلَمَةَ، فَدَلَّ ذَلِكَ عَلَى أَنَّ الزُّهْرِيَّ لَمْ يَسْمَعْهُ مِنْ أَبِي سَلَمَةَ، وَقَالَ أَحْمَدُ بنُ مُحَمَّدٍ: وَتَصْدِيقُ ذَلِكَ مَا حَدَّثَنَا أَيُّوبُ يَعْنِي ابنَ سُلَيْمَانَ.

قال أَبُو دَاوُدَ: سَمِعْتُ أَحْمَدَ بنَ حَنْبَلٍ يَقُولُ: أَفْسِدُوا عَلَيْنَا هَذَا الْحَدِيثَ. قِيلَ لَهُ: وَصَحَّ إِفْسَادُهُ عِنْدَكَ، وَهَلْ رَوَاهُ غَيْرُ ابنِ أَبِي أُوَيْسٍ قالَ: أَيُّوبُ كَانَ أَمْثَلَ مِنْهُ ـ يَعْنِي أَيُّوبَ بنَ سُلَيْمَانَ بنِ بِلَالٍ ـ وَقَدْ رَوَاهُ أَيُّوبُ.

3292 ـ حدّثنا أَحْمَدُ بنُ مُحَمَّدٍ المَرْوَزِيُّ: حدَّثنا أَيُّوبُ بنُ سُلَيْمَانَ، عن أَبِي بَكْرِ بنِ أَبِي أُوَيْسٍ، عنْ سُلَيْمَانَ بنِ بِلَالٍ، عنْ ابنِ أَبِي عَتِيقٍ وَمُوسَى بنِ عُقْبَةَ، عن ابنِ شِهَابٍ، عن سُلَيْمَانَ بنِ أَرْقَمَ أَنَّ يَحْيَى بنَ أَبِي كَثِيرٍ أَخْبَرَهُ، عن أَبِي سَلَمَةَ، عن عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لَا نَذْرَ فِي مَعْصِيَةٍ وَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ**».

قالَ أَحْمَدُ بنُ مُحَمَّدٍ المَرْوَزِيُّ: إِنَّمَا الحَدِيثُ حَدِيثُ عَلِيِّ بنِ المُبَارَكِ، عن يَحْيَى بنِ أَبِي كَثِيرٍ، عن مُحَمَّدِ بنِ الزُّبَيْرِ، عن أَبِيهِ، عن عِمْرَانَ بنِ حُصَيْنٍ، عن النَّبِيِّ ﷺ أَرَادَ أَنَّ سُلَيْمَانَ بنَ أَرْقَمَ وَهِمَ فِيهِ وَحَمَلَهُ عَنْهُ الزُّهْرِيُّ وَأَرْسَلَهُ عن أَبِي سَلَمَةَ عن عَائِشَةَ رحمها اللَّهُ.

قال أَبُو دَاوُدَ: رَوَى بَقِيَّةُ عن الأَوْزَاعِيِّ، عن يَحْيَى، عن مُحَمَّدِ بنِ الزُّبَيْرِ بِإِسْنَادِ عَلِيِّ بنِ المُبَارَكِ مِثْلَهُ.

3293 ـ حدّثنا مُسَدَّدٌ قال: حدَّثنا يَحْيَى بنُ سَعِيدٍ الْقَطَّانُ، قال: حدَّثنا يَحْيَى بنُ سَعِيدٍ الأَنْصَارِيُّ، قال: أخبرنا عُبَيْدُ اللَّهِ بنُ زَحْرٍ، أَنَّ أَبَا سَعِيدٍ أَخْبَرَهُ أَنَّ عَبْدَ اللَّهِ بنَ مَالِكٍ أَخْبَرَهُ أَنَّ عُقْبَةَ بنَ عَامِرٍ أَخْبَرَهُ: أَنَّهُ سَأَلَ النَّبِيَّ ﷺ عنْ أُخْتٍ لَهُ نَذَرَتْ أَنْ تَحُجَّ حَافِيَةً غَيْرَ مُخْتَمِرَةٍ، فقال: «**مُرُوهَا فَلْتَخْتَمِرْ وَلْتَرْكَبْ وَلْتَصُمْ ثَلَاثَةَ أَيَّامٍ**».

3294 ـ حدّثنا مَخْلَدُ بنُ خَالِدٍ: حدَّثنا عَبْدُ الرَّزَّاقِ: أخبرنا ابنُ جُرَيْجٍ قالَ: كَتَبَ إِلَيَّ يَحْيَى بنُ سَعِيدٍ: أَخْبَرَنِي عُبَيْدُ اللَّهِ بنُ زَحْرٍ مَوْلَى لِبَنِي ضَمْرَةَ ـ وَكَانَ أَيَّمَا رَجُلٍ ـ أَنَّ أَبَا سَعِيدٍ الرُّعَيْنِيَّ أخبره بِإِسْنَادِ يَحْيَى وَمَعْنَاهُ.

3295 ـ حدّثنا حَجَّاجُ بنُ أَبِي يَعْقُوبَ، قالَ: حدَّثنا أَبُو النَّضْرِ قال: حدَّثنا شَرِيكٌ، عن مُحَمَّدِ بنِ عَبْدِ الرَّحْمَنِ مَوْلَى آلِ طَلْحَةَ، عن كُرَيْبٍ، عن ابنِ عَبَّاسٍ قال: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: يَا رَسُولَ اللَّهِ إِنَّ أُخْتِي نَذَرَتْ ـ يَعْنِي أَنْ تَحُجَّ مَاشِيَةً ـ، فَقَالَ النَّبِيُّ ﷺ: «**إِنَّ اللَّهَ لَا يَصْنَعُ بِشَقَاءِ أُخْتِكَ شَيْئًا فَلْتَحُجَّ رَاكِبَةً وَلْتُكَفِّرْ عن يَمِينِهَا**».

3296 ـ حدّثنا مُحَمَّدُ بنُ المُثَنَّى قال: حدَّثنا أَبُو الْوَلِيدِ قال: حدَّثنا هَمَّامٌ، عنْ قَتَادَةَ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ: «أَنَّ أُخْتَ عُقْبَةَ بنِ عَامِرٍ نَذَرَتْ أَنْ تَمْشِيَ إِلَى الْبَيْتِ، فَأَمَرَهَا النَّبِيُّ ﷺ أَنْ تَرْكَبَ وَتُهْدِيَ هَدْيًا».

3297- It is narrated on the authority of Ibn Abbas that when the Messenger of Allah "Allah's blessing and peace be upon him" was informed that the sister of Uqbah Ibn Amir vowed to (set out on journey to) perform Hajj on foot, he said: "No doubt, Allah is not in need of her vow. Order her to ride a mount."

Abu Dawud says: The same is narrated on the authority of Ikrimah from the Messenger of Allah "Allah's blessing and peace be upon him".

3298- It is narrated on the authority of Ikrimah that the sister of Uqbah Ibn Amir…and the rest is the same, and no mention is made of the sacrifice, but he said in it: "Order your sister to ride a mount."

3299- It is narrated on the authority of Uqbah Ibn Amir that he said: My sister vowed to walk on foot to the House of Allah (to perform Hajj), and asked me to seek the religious verdict of the Messenger of Allah "Allah's blessing and peace be upon him" pertaining to that, and he said: "Let her walk (for some time) and ride (for some time when she becomes tired)."

3300- It is narrated on the authority of Ibn Abbas that he said: While the Messenger of Allah "Allah's blessing and peace be upon him" was delivering a sermon, behold! There was a man standing in the sun, and when he asked about him it was said to him: "He is Abu Isra'il: he vowed to keep standing and not sit, nor take shelter to the shade (to protect himself from the heat of the sun), nor to speak with anyone, and further to fast in such a state." On that he said: "Tell him to speak, sit, take shelter to the shade, and complete his fasting."

3301- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" saw a man walking, while reclining against his sons. When he asked about him, it was said to him: "He vowed to keep walking." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah Almighty is not in need of this man's torturing himself like this. Tell him to ride."

Abu Dawud says: The same is narrated on the authority of Abu Hurairah from the Messenger of Allah "Allah's blessing and peace be upon him", through a different chain of transmitters.

3302- It is narrated on the authority of Ibn Abbas that once, the Messenger of Allah "Allah's blessing and peace be upon him" came upon a man circumambulating the House, and he was being led by another with the help of a nosestring, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" cut it to pieces, and told him to lead him by his hand.

3297 ـ حدّثنا مُسْلِمُ بنُ إبْرَاهِيمَ، قال: حدَّثنا هِشَامٌ، عن قَتَادَةَ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ رَضِيَ اللَّهِ عَنْهُمَا: أَنَّ النَّبِيَّ ﷺ لَمَّا بَلَغَهُ أَنَّ أُخت عُقْبَةَ بنِ عَامِرٍ نَذَرَتْ أَنْ تَحُجَّ مَاشِيَةً قالَ: «**إِنَّ اللَّهَ لَغَنِيٌّ عَنْ نَذْرِهَا، مُرْهَا فَلْتَرْكَبْ**».

قال أَبُو دَاوُدَ: رَوَاهُ سَعِيدُ بنُ أَبِي عَرُوبَةَ نَحْوَهُ. وَخَالِدٌ، عَنْ عِكْرِمَةَ، عن النَّبِيِّ ﷺ نَحْوَهُ.

3298 ـ حدّثنا مُحَمَّدُ بنُ الْمُثَنَّى: حدَّثنا ابنُ أَبِي عَدِيٍّ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عن عِكْرِمَةَ أَنَّ أُختَ عُقْبَةَ بنِ عَامِرٍ بِمَعْنَى هِشَامٍ لَمْ يَذْكُرِ الْهَدْيَ، وَقَالَ فِيهِ: «**مُرْ أُخْتَكَ فَلْتَرْكَبْ**».

قال أَبُو دَاوُدَ: رَوَاهُ خَالِدٌ عَنْ عِكْرِمَةَ بِمَعْنَى هِشَامٍ.

3299 ـ حدّثنا مَخْلَدُ بنُ خَالِدٍ قَالَ: حدَّثنا عَبْدُ الرَّزَّاقِ قَالَ: حدَّثنا ابنُ جُرَيْجٍ، قال: أخبرني سَعِيدُ بنُ أَبِي أَيُّوبَ أَنَّ يَزِيدَ بنَ أَبِي حَبِيبٍ أَخْبَرَهُ أَنَّ أَبَا الْخَيْرِ حَدَّثَهُ عن عُقْبَةَ بنِ عَامِرٍ الْجُهَنِيِّ أَنَّهُ قَالَ: نَذَرَتْ أُخْتِي أَنْ تَمْشِيَ إِلَى بَيْتِ اللَّهِ فَأَمَرَتْنِي أَنْ أَسْتَفْتِيَ لَهَا النَّبِيَّ ﷺ، فَاسْتَفْتَيْتُ النَّبِيَّ ﷺ فقال: «**لِتَمْشِ وَلْتَرْكَبْ**».

3300 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا وُهَيبٌ: حدثنا أَيُّوبُ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ قال: بَيْنَمَا النَّبِيُّ ﷺ يَخْطُبُ إِذَا هُوَ بِرَجُلٍ قَائِمٍ فِي الشَّمْسِ، فَسَأَلَ عَنْهُ، فَقَالُوا: هَذَا أَبُو إِسْرَائِيلَ، نَذَرَ أَنْ يَقُومَ وَلاَ يَقْعُدَ وَلاَ يَسْتَظِلَّ وَلاَ يَتَكَلَّمَ وَيَصُومَ، قالَ: «**مُرُوهُ فَلْيَتَكَلَّمْ وَلْيَقْعُدْ وَلْيُتِمَّ صَوْمَهُ**».

3301 ـ حدّثنا مُسَدَّدٌ، قال: حدَّثنا يَحْيَى، عن حُمَيْدٍ الطَّوِيلِ، عن ثَابِتٍ الْبُنَانِيِّ، عن أَنَسِ بنِ مَالِكٍ: أَنَّ رَسُولَ اللَّهِ ﷺ رَأَى رَجُلاً يُهَادَى بَيْنَ ابْنَيْهِ فَسَأَلَ عَنْهُ فَقَالُوا: نَذَرَ أَنْ يَمْشِيَ، فَقَالَ: «**إِنَّ اللَّهَ لَغَنِيٌّ عَنْ تَعْذِيبِ هَذَا نَفْسَهُ**» وَأَمَرَهُ أَنْ يَرْكَبَ.

قال أَبُو دَاوُدَ: رَوَاهُ عَمْرُو بنُ أَبِي عَمْرٍو، عن الأَعْرَجِ، عن أَبِي هُرَيْرَةَ، عن النَّبِيِّ ﷺ نَحْوَهُ.

3302 ـ حدّثنا يَحْيَى بنُ مَعِينٍ: حدَّثنا حَجَّاجٌ، عن ابنِ جُرَيْجٍ قال: أخبرني عَاصِمٌ الأَحْوَلُ أَنَّ طَاوُسًا أَخْبَرَهُ، عن ابنِ عَبَّاسٍ: «أَنَّ النَّبِيَّ ﷺ مَرَّ وَهُوَ يَطُوفُ بِالْكَعْبَةِ بِإِنْسَانٍ يَقُودُهُ بِخِزَامَةٍ فِي أَنْفِهِ فَقَطَعَهَا النَّبِيُّ ﷺ بِيَدِهِ وَأَمَرَهُ أَنْ يَقُودَهُ بِيَدِهِ».

3303- It is narrated on the authority of Ibn Abbas that the sister of Uqbah Ibn Amir vowed to (set out on journey to) perform Hajj on foot, and she had no power to do so. On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Indeed, Allah Almighty is not in need of your sister's walking: tell her to ride a mount, and offer a sacrificial camel (in expiation for breaking her vow)."

3304- It is narrated on the authority of Uqbah Ibn Amir Al-Juhani that he said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! My sister vowed to go to the House (to perform Hajj) on foot." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah does nothing with the walking of your sister on foot to the House."

[24] When One Vows To Offer Prayer In Jerusalem

3305- It is narrated on the authority of Jabir Ibn Abdullah that he said: On the day of the conquest (of Mecca), a man said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! I've vowed to offer a two-rak'ah prayer in Jerusalem in case Allah enables you to conquer Mecca." The Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Pray them here." He repeated the same, and the Messenger of Allah "Allah's blessing and peace be upon him" gave the same reply: "Pray them here." When he raised the same for the third time, the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, it is up to you to do what you like."

Abu Dawud says: The same is narrated on the authority of Abd Ar-Rahman Ibn Awf from the Messenger of Allah "Allah's blessing and peace be upon him".

3306- The same is narrated on the authority of Umar Ibn Abd Ar-Rahman Ibn Awf from some men from amongst the companions of the Messenger of Allah "Allah's blessing and peace be upon him", in which he added here that the Messenger of Allah "Allah's blessing and peace be upon him" said: "By Him, Who has sent Muhammad with the truth, if you offer prayer here, it would be sufficient to exempt you from praying in Jerusalem."

Abu Dawud says: The same is narrated on the authority of Ibn Juraij from Umar Ibn Abd Ar-Rahman Ibn Awf from men amongst the companions of the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

3303 - حدّثنا أَحمدُ بنُ حَفْصِ بنِ عَبْد اللَّهِ السُّلَمِيُّ قال: حَدَّثَنِي أَبِي قالَ: حَدَّثَنِي إِبْرَاهِيمُ ـ يَعْنِي ابنَ طَهْمَانَ ـ، عن مَطَرٍ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ: أنَّ أُخْتَ عُقْبَةَ بنِ عَامِرٍ نَذَرَتْ أَنْ تَحُجَّ مَاشِيَةً وَأَنَّهَا لاَ تُطِيقُ ذَلِكَ، فَقالَ النَّبِيُّ ﷺ: «**إِنَّ اللَّهَ لَغَنِيٌّ عن مشي أُختِكَ، فَلْتَرْكَبْ وَلْتُهْدِ بَدَنَةً**».

3304 - حدّثنا شُعَيْبُ بنُ أَيُّوبَ: حدَّثنا مُعَاوِيَةُ بنُ هِشَامٍ، عَنْ سُفْيَانَ، عن أَبيهِ، عن عِكْرِمَةَ، عن عقبةَ بنِ عَامِرٍ الجُهَنِيِّ أَنَّهُ قَالَ للنبيِّ ﷺ: إِنَّ أُخْتِي نَذَرَتْ أَنْ تَمْشِيَ إِلَى الْبَيْتِ، فقال: «**إِنَّ اللَّهَ لاَ يَصْنَعُ بِمَشْيِ أُخْتِكَ إِلَى الْبَيْتِ شَيْئًا**».

[ت24/م20] ـ باب من نذر أن يُصلِّي في بيت المقدس

3305 - حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قالَ: حدَّثنا حَمَّادٌ، قَالَ: أخبرنا حَبِيبٌ الْمُعَلِّمُ، عن عَطَاءِ بنِ أَبي رَبَاحٍ، عن جَابِرِ بنِ عَبْدِ اللَّهِ: «أَنَّ رَجُلاً قَامَ يَوْمَ الْفَتْحِ فقالَ: يَا رَسُولَ اللَّهِ إِنِّي نَذَرْتُ للَّهِ إِنْ فَتَحَ اللَّهِ عَلَيْكَ مَكَّةَ أَنْ أُصَلِّيَ فِي بَيْتِ المَقْدِسِ رَكْعَتَيْنِ، قالَ: «**صَلِّ هَهُنَا**»، ثُمَّ أَعَادَ عَلَيْهِ فَقَالَ: «**صَلِّ هَهُنَا**»، ثُمَّ أَعَادَ عَلَيْهِ فَقَالَ: «**شَأْنَكَ إِذَنْ**».

قال أَبُو دَاوُدَ: رُوِيَ نَحْوُهُ، عن عَبْدِ الرَّحْمَنِ بنِ عَوْفٍ، عن النَّبِيِّ ﷺ.

3306 - حدّثنا مَخْلَدُ بنُ خَالِدٍ، قال: حدَّثنا أَبُو عَاصِمٍ. (ح)، وحدَّثنا عَبَّاسٌ الْعَنْبَرِيُّ، المَعْنَى، قال: حدثنا رَوْحٌ، عن ابنِ جُرَيْجٍ، قال: أخبرني يُوسُفُ بنُ الْحَكَمِ بنِ أَبِي سُفْيَانَ أَنَّهُ سَمِعَ حَفْصَ بنَ عُمَرَ بنِ عَبْدِ الرَّحْمٰنِ بنِ عَوْفٍ وعمرو وَقَالَ: عَبَّاسُ بنُ حَنَّةَ أَخْبَرَاهُ، عن عُمَرَ بنِ عَبْدِ الرَّحْمَنِ بنِ عَوْفٍ، عن رِجَالٍ مِنْ أَصْحَابِ النَّبِيِّ ﷺ بِهَذَا الْخَبَرِ. زَادَ: فَقَالَ النَّبِيُّ ﷺ: «**وَالَّذِي بَعَثَ مُحَمَّدًا بِالْحَقِّ لَوْ صَلَّيْتَ هَهُنَا لأَجْزَأَ عَنْكَ صَلاَةً فِي بَيْتِ الْمَقْدِسِ**».

قال أَبُو دَاوُدَ: رَوَاهُ الأَنْصَارِيُّ، عن ابنِ جُرَيْجٍ فقالَ: جَعْفَرُ بنُ عَمْرٍو، قالَ عَمْرُو بنُ حَنَّةَ، وَقَالَ أَخْبَرَاهُ عن عَبْدِ الرَّحْمَنِ بنِ عَوْفٍ، وَعَنْ رِجَالٍ مِنْ أَصْحَابِ النَّبِيِّ ﷺ.

[25] Fulfilling The Vows On Behalf Of The Dead

3307- It is narrated on the authority of Ibn Abbas that Sa'd Ibn Ubadah sought the religious verdict of the Messenger of Allah "Allah's blessing and peace be upon him" saying: "My mother died, and a vow was due upon her." On that he said to him: "Fulfill it on her behalf."

3308- It is narrated on the authority of Ibn Abbas that a woman went on journey aboard, and she vowed that if Allah saved her (from sinking), she would observe fasting for a month; and Allah Almighty saved her life, but she did not fast until she died. Her daughter or sister came to the Messenger of Allah "Allah's blessing and peace be upon him" and told him about that, thereupon he order her to observe the fasts on behalf of her mother.

3309- It is narrated on the authority of Abdullah Ibn Buraidah from his father that he said: A woman came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I've given a slave-girl in charity to my mother, and she died." On that he said: "Allah has given you a reward for that, and restored to you the heritage." She said: "She died and a fasts of a month were due upon her: would it suffice her to observe them on her behalf?" he answered in the affirmative. She said: "She (died and) did not perform Hajj: would it be sufficient for her to perform Hajj on her behalf?" he answered in the affirmative.

[26] When One Dies And A Vow Of Fasting Is Due Upon Him, His Heir Should Observe It On His Behalf

3310- It is narrated on the authority of Ibn Abbas that a woman came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "My mother died, and fasting of month was due upon her: should I observe it on her behalf?" the Messenger of Allah "Allah's blessing and peace be upon him" asked her: "Tell me: if your mother was owing a debt: should you not fulfill it on her behalf?" she answered in the affirmative, thereupon the Messenger of Allah "Allah's blessing and peace be upon him": "Then, Allah's debt has more right to be fulfilled."

3311- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who dies and fasting is due upon him, let his heir fast on his behalf."

[27] The Vows That Should Be Fulfilled

3312- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that a woman came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of

[ت25/م21] ـ باب في قضاء النذر عن الميت

3307 ـ حدّثنا الْقَعْنَبِيُّ، قال: قَرَأْتُ عَلَى مَالِكٍ، عن ابنِ شِهَابٍ، عن عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ، عَنْ عَبْدِ اللَّهِ بنِ عَبَّاسٍ: أَنَّ سَعْدَ بنَ عُبَادَةَ اسْتَفْتَى رَسُولَ اللَّهِ ﷺ فَقَالَ: إِنَّ أُمِّي مَاتَتْ وَعَلَيْهَا نَذْرٌ لَمْ تَقْضِهِ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**اقْضِهِ عَنْهَا**».

3308 ـ حدّثنا عَمْرُو بنُ عَوْنٍ، قالَ: أخبرنا هُشَيْمٌ، عن أَبِي بِشْرٍ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ: «أَنَّ امْرَأَةً رَكِبَتِ الْبَحْرَ فَنَذَرَتْ إِنْ نَجَّاهَا اللَّهُ أَنْ تَصُومَ شَهْرًا، فَنَجَّاهَا اللَّهُ فَلَمْ تَصُمْ حَتَّى مَاتَتْ، فَجَاءَتِ ابْنَتُهَا أَوْ أُخْتُهَا إِلَى رَسُولِ اللَّهِ ﷺ فَأَمَرَهَا أَنْ تَصُومَ عَنْهَا».

3309 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ، قال: أخبرنا زُهَيْرٌ، قال: أخبرنا عَبْدُ اللَّهِ بنُ عَطَاءٍ، عن عَبْدِ اللَّهِ بنِ بُرَيْدَةَ، عن أَبِيهِ بُرَيْدَةَ: أَنَّ امْرَأَةً أَتَتِ النَّبِيَّ ﷺ فَقَالَتْ: كُنْتُ تَصَدَّقْتُ عَلَى أُمِّي بِوَلِيدَةٍ وَإِنَّهَا مَاتَتْ وَتَرَكَتْ تِلْكَ الْوَلِيدَةَ. قال: «**قَدْ وَجَبَ أَجْرُكِ وَرَجَعَتْ إِلَيْكِ فِي الْمِيرَاثِ**». قالَتْ: وَإِنَّهَا مَاتَتْ وَعَلَيْهَا صَوْمُ شَهْرٍ؛ فَذَكَرَ نَحْوَ حَدِيثِ عَمْرٍو.

[ت26/م000] ـ باب ما جاء فيمن مات وعليه صيام صام عنه وليّه

3310 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى قالَ: سَمِعْتُ الأَعْمَشَ. (ح)، وحدَّثنا مُحَمَّدُ بنُ الْعلاَءِ: حدَّثنا أَبُو مُعَاوِيَةَ، عن الأَعْمَشِ، المَعْنَى، عن مُسْلِمٍ الْبَطِينِ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ: أَنَّ امْرَأَةً جَاءَتْ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: إِنَّهُ كَانَ عَلَى أُمِّها صَوْمُ شَهْرٍ أَفَأَقْضِيهِ عَنْهَا؟ فَقَالَ: «**لَوْ كَانَ عَلَى أُمِّكِ دَيْنٌ أَكُنْتِ قَاضِيَتِهِ؟**» قَالَتْ: نَعَمْ، قال: «**فَدَيْنُ اللَّهِ أَحَقُّ أَنْ يُقْضَى**».

3311 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ، أخبرني عَمْرُو بنُ الْحَارِثِ، عن عُبَيْدِ اللَّهِ بنِ أَبِي جَعْفَرٍ، عن مُحَمَّدِ بنِ جَعْفَرِ بنِ الزُّبَيْرِ، عن عُرْوَةَ، عن عَائِشَةَ أَنَّ النَّبِيَّ ﷺ قال: «**مَنْ مَاتَ وَعَلَيْهِ صِيَامٌ صَامَ عَنْهُ وَلِيُّهُ**».

[ت27/م22] ـ باب ما يؤمر به من الوفاء بالنذر

3312 ـ حدّثنا مُسَدَّدٌ، قالَ: حدَّثنا الْحَارِثُ بنُ عُبَيْدٍ أَبُو قُدَامَةَ، عن عُبَيْدِ اللَّهِ بنِ الأَخْنَسِ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ: أَنَّ امْرَأَةً أَتَتْ النَّبِيَّ ﷺ فَقَالَتْ:

Allah! I've vowed to beat the tambourine in your presence." He said: "Fulfill your vow." She further said: "I've also vowed to slaughter (a sacrifice) at such and such a place (where they used to slaughter during the pre-Islamic period of ignorance)." He asked her: "Is it for an idol?" she answered in the negative. He asked: "Is it for a stone deity?" she answered in the negative, thereupon he told her to fulfill her vow.

3313- It is narrated on the authority of Thabit Ibn Ad-Dahhak that during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", a man vowed to slaughter camels at Bawanah (a place near the seashore). He came to the Messenger of Allah "Allah's blessing and peace be upon him" and sought his religious verdict, saying: "I've vowed to slaughter some camels at Bawanah." The Messenger of Allah "Allah's blessing and peace be upon him" asked: "Had there been any idol of those worshipped during the time of ignorance?" they answered in the negative. He further asked: "Had there been any of their festivals?" they answered in the negative, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, fulfill your vow. Indeed, no fulfillment of vows is binding in disobedience of Allah, and in that which is not in the possession of man."

3314- It is narrated on the authority of Sarah Bint Miqsam that she heard Maimunah Bint Kardam having said: I set out in the company of my father during the (Farewell) Hajj of the Messenger of Allah "Allah's blessing and peace be upon him", and I saw the Messenger of Allah "Allah's blessing and peace be upon him" and I heard the people saying: "This is the Messenger of Allah "Allah's blessing and peace be upon him"!" I went on following him with my sight, and got my sight stuck to him. My father came close to him and he was riding a she-camel, having a stick like that used by the teachers. Then, he heard the Bedouins and the people saying: "At-Tabtabiyah! At-Tabtabiyah!" my father then came much closer to him, took hold of his foot, submitted to him, and stopped near him, and heard from him. He said: "O Messenger of Allah! I vowed that if a male child was born for me, I would slaughter fifty sheep at the head of Bawanah." the Messenger of Allah "Allah's blessing and peace be upon him" asked: "Is there any idols in it?" he answered in the negative, thereupon he said to him: "Then, fulfill your vow for the Sake of Allah." He gathered them and went on slaughtering them (at the very place), and one of them fled away, and he rushed in its pursuit, saying: "O Allah! Enable me to fulfill my vow!" he caught hold of it, and slaughtered it.

يَا رَسُولَ اللَّهِ إِنِّي نَذَرْتُ أَنْ أَضْرِبَ عَلَى رَأْسِكَ بالدُّفِّ. قالَ: «**أَوْفِي بِنَذْرِكِ**». قَالَتْ: إِنِّي نَذَرْتُ أَنْ أَذْبَحَ بِمَكَانٍ كَذَا وَكَذَا ـ مَكَانٌ كَانَ يَذْبَحُ فِيهِ أَهْلُ الْجَاهِلِيَّةِ ـ قال: «**لِصَنَمٍ؟**» قَالَتْ: لاَ. قالَ: «**لِوَثَنٍ؟**» قَالَتْ: لاَ. قَالَ: «**أَوْفِي بِنَذْرِكِ**».

3313 ـ حدّثنا دَاوُدُ بنُ رُشَيْدٍ، قال: حدَّثنا شُعَيْبُ بنُ إِسْحَاقَ، عن الأَوْزَاعِيِّ، قال: حَدَّثَنِي يَحْيَى بْنُ أَبِي كَثِيرٍ، قال: حَدَّثَنِي أَبُو قِلاَبَةَ، قالَ: حَدَّثَنِي ثَابِتُ بنُ الضَّحَّاكِ قال: نَذَرَ رَجُلٌ عَلَى عَهْدِ النَّبِيِّ ﷺ أَنْ يَنْحَرَ إِبِلاً بِبُوَانَةَ، فَأَتَى النَّبِيَّ ﷺ فقالَ: إِنِّي نَذَرْتُ أَنْ أَنْحَرَ إِبِلاً بِبُوَانَةَ، فَقَالَ النَّبِيُّ ﷺ: «**هَلْ كَانَ فِيهَا وَثَنٌ مِنْ أَوْثَانِ الْجَاهِلِيَّةِ يُعْبَدُ؟**» قَالُوا: لاَ. قالَ: «**هَلْ كَانَ فِيهَا عِيدٌ مِنْ أَعْيَادِهِمْ؟**» قَالُوا: لاَ. قالَ النَّبِيُّ ﷺ: «**أَوْفِ بِنَذْرِكَ فَإِنَّهُ لاَ وَفَاءَ لِنَذْرٍ فِي مَعْصِيَةِ اللَّهِ وَلاَ فِيمَا لاَ يَمْلِكُ ابنُ آدَمَ**».

3314 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا يَزِيدُ بنُ هَارُونَ: حدَّثنا عَبْدُ اللَّهِ بنُ يَزِيدَ بنِ مُقْسِمٍ الثَّقَفِيُّ مِنْ أَهْلِ الطَّائِفِ قال: حَدَّثَتْنِي سَارَةُ بِنْتُ مُقْسِمٍ الثَّقَفِيُّ أَنَّهَا سَمِعَتْ مَيْمُونَةَ بِنْتَ كَرْدَمٍ قالَتْ: «خَرَجْتُ مَعَ أَبِي فِي حَجَّةِ رَسُولِ اللَّهِ ﷺ، فَرَأَيْتُ رَسُولَ اللَّهِ ﷺ، وَسَمِعْتُ النَّاسَ يَقُولُونَ رَسُولُ اللَّهِ ﷺ، فَجَعَلْتُ أُبِدُّهُ بَصَرِي، فَدَنَا إِلَيْهِ أَبِي وَهُوَ عَلَى نَاقَةٍ لَهُ مَعَهُ دِرَّةٌ كَدِرَّةِ الْكُتَّابِ، فَسَمِعْتُ الأَعْرَابَ وَالنَّاسَ يَقُولُونَ: الطَّبْطَبِيَّةَ الطَّبْطَبِيَّةَ، فَدَنَا إِلَيْهِ أَبِي فَأَخَذَ بِقَدَمِهِ.

قَالَتْ: فَأَقَرَّ لَهُ وَوَقَفَ فَاسْتَمَعَ مِنْهُ، فَقَالَ: يَا رَسُولَ اللَّهِ إِنِّي نَذَرْتُ إِنْ وُلِدَ لِي وَلَدٌ ذَكَرٌ أَنْ أَنْحَرَ عَلَى رَأْسِ بُوَانَةَ فِي عَقَبَةٍ مِنَ الثَّنَايَا عِدَّةً مِنَ الْغَنَمِ. قال: لاَ أَعْلَمُ إِلاَّ أَنَّهَا قَالَتْ خَمْسِينَ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**هَلْ بِهَا مِنَ الأَوْثَانِ شَيْءٌ؟**» قَالَ: لاَ. قالَ: «**فَأَوْفِ بِمَا نَذَرْتَ بِهِ لِلَّهِ**». قَالَتْ: فَجَمَعَهَا فَجَعَلَ يَذْبَحُهَا فَانْفَلَتَتْ مِنْهَا شَاةٌ فَطَلَبَهَا وَهُوَ يَقُولُ: اللَّهُمَّ أَوْفِ عَنِّي نَذْرِي فَظَفِرَهَا فَذَبَحَهَا».

3315- The same is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather from Maimunah Bint Kardam from his father, and here the narration is abridged, in which he asked: "Is there any idols in it? Is there any festivals of those belonging to the time of ignorance in it?" he answered in the negative and said: "My mother has a vow of walking due upon her: should I fulfill it on her behalf?" he answered in the affirmative.

[28] The Vow In What Is Not In Man's Possession

3316- It is narrated on the authority of Imran Ibn Husain that he said: Al-Atba was a she-camel of a man from Banu Uqail, and it was among those (animals), which proceeded ahead of the pilgrims. He was captivated, and along with him (the she-camel) Al-Atba was taken. Once, The Prophet "Allah's blessing and peace be upon him" came upon him while he was fettered, whereupon he said: "O Muhammad!" he (The Prophet) went to him and replied: "What is the matter with you?" he asked: "For what (crime) did you take me (as captive)? Why did you catch hold of the one walking ahead of the pilgrims (i.e. the she-camel)?" He (The Prophet) said: "For a great crime (you've made). I (by the help of my companions) caught hold of you for the crime of your allies, Banu Thaqif." The (tribe of) Thaqif was allies of Banu Uqail. Those of Thaqif took as captives two of the companions of The Messenger of Allah "Allah's blessing and peace be upon him". He said from amongst what he said: "I'm a Muslim or I've embraced Islam." He (The Prophet) turned away. The man called him once again and said: "O Muhammad! O Muhammad!" Since Allah's Apostle "Allah's blessing and peace be upon him" was merciful and tenderhearted, he returned to him and said: "What is the matter with you?" He said: "I am a Muslim." He (The Prophet) said: "Had you said that when you had had a mastership over yourself, you would have got every prosperity." He turned away. He (the captive) called him (for the third time) saying: "O Muhammad! O Muhammad!" He (The Prophet) went to him and said: "What is the matter with you?" the man said: "I am hungry, so feed me, and I am thirsty, so supply me with water." He (The Prophet) said: "That is (to cover) your need." Afterwards, he was ransomed for the two men (who had been captivated by Banu Thaqif); and Al-Adba was kept among the riding mounts of the Messenger of Allah "Allah's blessing and peace be upon him". He (the narrator) added: later on, the pagans attacked the grazing animals of Medina, and captured Al-Adba, and they further took as captive a woman from amongst the Muslims. The people used to give rest to their animals in front of their houses every night. One night, she (the captivated

3315 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ: حدَّثنا أَبُو بَكْرٍ الْحَنَفِيُّ: حدَّثنا عَبْدُ الْحَمِيدِ بنُ جَعْفَرٍ، عن عَمْرِو بنِ شُعَيْبٍ، عن مَيْمُونَةَ بِنْتِ كَرْدَم بنِ سُفْيَانَ، عن أَبِيهَا نَحْوَهُ مُخْتَصَرٌ شَيْءٌ مِنْهُ قال: «**هَلْ بِهَا وَثَنٌ أَوْ عِيدٌ مِنْ أَعْيَادِ الْجَاهِلِيَّةِ؟**» قَالَ: لاَ. قُلْتُ: إِنَّ أُمِّي هَذِهِ عَلَيْهَا نَذْرٌ وَمَشْيٌ أَفَأَقْضِيهِ عَنْهَا؟ وَرُبَّمَا قَالَ ابنُ بَشَّارٍ: أَنَقْضِيهِ عَنْهَا؟ قَالَ: «**نَعَمْ**».

[ت28/م21] ـ باب النذر فيما لا يملك

3316 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ وَمُحَمَّدُ بنُ عِيسَى، قالاَ: حدَّثنا حَمَّادٌ، عن أَيُّوبَ، عن أَبِي قِلاَبَةَ، عن أَبِي الْمُهَلَّبِ، عن عِمْرَانَ بنِ حُصَيْنٍ قالَ: كَانَتِ الْعَضْبَاءُ لِرَجُلٍ مِنْ بَنِي عَقِيلٍ وَكَانَتْ مِنْ سَوَابِقِ الْحَاجِّ، قالَ: فَأُسِرَ فَأُتِيَ النَّبِيَّ ﷺ وَهُوَ فِي وَثَاقٍ وَالنَّبِيُّ ﷺ عَلَى حِمَارٍ عَلَيْهِ قَطِيفَةٌ، فَقَالَ: يَا مُحَمَّدُ عَلاَمَ تَأْخُذُنِي وَتَأْخُذُ سَابِقَةَ الْحَاجِّ؟ قال: «**نَأْخُذُكَ بِجَرِيرَةِ حُلَفَائِكَ ثَقِيفٍ**»، قال: وَكَانَ ثَقِيفٌ قَدْ أَسَرُوا رَجُلَيْنِ مِنْ أَصْحَابِ النَّبِيِّ ﷺ.

قالَ: وَقَدْ قَالَ فِيمَا قَالَ: وَأَنَا مُسْلِمٌ، أَوْ قَالَ: وَقَدْ أَسْلَمْتُ، فَلَمَّا مَضَى النَّبِيُّ ﷺ ـ قَالَ أَبُو دَاوُدَ: فَهِمْتُ هَذَا مِنْ مُحَمَّدِ بنِ عِيسَى ـ نَادَاهُ يَا مُحَمَّدُ يَا مُحَمَّدُ، قالَ: وَكَانَ النَّبِيُّ ﷺ رَحِيمًا رَفِيقًا فَرَجَعَ إِلَيْهِ فَقَالَ: «**مَا شَأْنُكَ؟**» قَالَ: إِنِّي مُسْلِمٌ، قالَ: «**لَوْ قُلْتَهَا وَأَنْتَ تَمْلِكُ أَمْرَكَ إذن أَفْلَحت كُلَّ الْفَلاَحِ**».

قال أَبُو دَاوُدَ: ثُمَّ رَجِعْتُ إِلَى حَدِيثِ سُلَيْمَانَ قالَ: يَا مُحَمَّدُ إِنِّي جَائِعٌ فَأَطْعِمْنِي، إِنِّي ظَمْآنٌ فَأَسْقِنِي، قالَ فَقَالَ النَّبِيُّ ﷺ: «**هَذِهِ حَاجَتُكَ**»، أَوْ قَالَ: «**هَذِهِ حَاجَتُهُ**». قالَ: فَفُودِيَ الرَّجُلُ بَعْدُ بالرَّجُلَيْنِ، قالَ: وَحَبَسَ رَسُولُ اللَّهِ ﷺ الْعَضْبَاءَ لِرَحْلِهِ، قالَ: فَأَغَارَ الْمُشْرِكُونَ عَلَى سَرْحِ الْمَدِينَةِ. فَذَهَبُوا به وذهبوا بِالْعَضْبَاءِ.

فَلَمَّا ذَهَبُوا بِهَا وَأَسَرُوا امْرَأَةً مِنَ الْمُسْلِمِينَ، قالَ: فَكَانُوا إِذَا كَانَ اللَّيْلُ يُرِيحُونَ إِبِلَهُمْ فِي أَفْنِيَتِهِمْ، قالَ: فَنُوِّمُوا لَيْلَةً وَقَامَتِ الْمَرْأَةُ فَجَعَلَتْ لاَ تَضَعُ يَدَهَا عَلَى بَعِيرٍ إِلاَّ رَغَا حَتَّى أَتَتْ عَلَى الْعَضْبَاءِ، قالَ: فَأَتَتْ عَلَى نَاقَةٍ ذَلُولٍ

woman) fled from the fetter and then came to the camels. The more she drew near a camel, the more it fretted and fumed. So, she left them until she came to Al-Adba, a trained docile she-camel, which did not fret and fume, since it was submissive. She rode upon its back, drove it away and then went off. She (the woman) took vow to Allah, that in case He saved her through it, she would slaughter it as a sacrifice. When she arrived in Medina, the people saw her and said: "Here is Al-Adba, the she-camel of Allah's Apostle "Allah's blessing and peace be upon him"." (She the woman said that she had taken a vow that if Allah saved her through it, she would slaughter it as a sacrifice.) when Allah's Apostle "Allah's blessing and peace be upon him" was informed of that, he sent to the woman, and she was brought and she told him about her vow, thereupon he said: "How bad you rewarded it (for its transporting you) i.e. that she took vow to Allah that if He saved her on its back, she would slaughter it as a sacrifice! There is no fulfillment of a vow in disobedience of Allah, or in anything which is not in the possession of the one (who makes it)."

Abu Dawud says: This woman was the wife of Abu Dharr.

[29] When One Takes Vow To Give His Property In Charity

3317- It is narrated on the authority of Abdullah Ibn Ka'b Ibn Malik, and he was the guide of his father when the latter grew blind, that Ka'b Ibn Malik told: I said: "O Allah's Apostle! For the acceptance of my repentance I wish to give all my property in charity for the sake of Allah and His Apostle." He said: "It is better for you to keep some of the property for yourself." I said: "Then I will keep my share in Khaibar."

3318- It is narrated on the authority of Abdullah Ibn Ka'b Ibn Malik from his father that he said to the Messenger of Allah "Allah's blessing and peace be upon him" when Allah turned to him in repentance...and the rest is the same.

3319- It is narrated on the authority of Ka'b Ibn Malik that he said to the Messenger of Allah "Allah's blessing and peace be upon him": "It is out of my repentance to leave my house, in which I've committed this sin, and to give in charity the whole of my property." The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is sufficient for you to give one-third in charity."

3320- It is narrated on the authority of Ibn Ka'b Ibn Malik that Abu Lubabah...and the rest is the same.

Abu Dawud says: A Hadith like this is narrated on the authority of Az-Zuhri from Husain Ibn As-Sa'ib Ibn Abu Lubabah.

مُجرَّسَةٍ، قال ابنُ عيسى: فلم تُرغْ، قال: فَرَكِبَتْهَا ثُمَّ جَعَلَتْ للَّهِ عَلَيْهَا إِنْ نَجَّاهَا اللَّهُ لَتَنْحَرَنَّهَا، قال: فَلَمَّا قَدِمَتِ المَدِينَةِ عُرِفَتِ النَّاقَةُ نَاقَةُ النَّبِيِّ ﷺ، فَأُخْبِرَ النَّبِيُّ ﷺ بِذَلِكَ، فَأَرْسَلَ إِلَيْهَا، فَجِيءَ بِهَا وَأُخْبِرَ بِنَذْرِهَا، فَقَالَ: «**بِئْسَ مَا جَزَتْهَا أَوْ جَزَيْتِيهَا إِنِ اللَّهُ أَنْجَاهَا عَلَيْهَا لَتَنْحَرَنَّهَا، لاَ وَفَاءَ لِنَذْرٍ فِي مَعْصِيَةِ اللَّهِ وَلاَ فِيمَا لاَ يَمْلِكُ ابنُ آدَمَ**».

قال أَبُو دَاوُدَ: وَالمَرْأَةُ هَذِهِ امْرَأَةُ أَبِي ذَرٍّ.

[ت29/م23] ـ باب فيمن نذر أن يتصدق بماله

3317 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ وَابْنُ السَّرْحِ قالاَ: حدَّثنا ابنُ وَهْبٍ، قالَ: أخبرني يُونُسُ قالَ: قَالَ ابنُ شِهَابٍ: فَأَخْبَرَنِي عَبْدُ الرَّحْمَنِ بنُ عَبْدِ اللَّهِ بنِ كَعْبِ بنِ مَالِكٍ أَنَّ عَبْدَ اللَّهِ بنَ كَعْبٍ، وَكَانَ قَائِدَ كَعْبٍ مِنْ بَنِيهِ حِينَ عَمِيَ عن كَعْبِ بنِ مَالِكٍ: «قُلْتُ: يَا رَسُولَ اللَّهِ إِنَّ مِنْ تَوْبَتِي أَنْ أَنْخَلِعَ مِنْ مَالِي صَدَقَةً إِلَى اللَّهِ وَإِلَى رَسُولِهِ، قالَ رَسُولُ اللَّهِ ﷺ: «**أَمْسِكْ عَلَيْكَ بَعْضَ مَالِكَ فَهُوَ خَيْرٌ لَكَ**»، قالَ فَقُلْتُ: إِنِّي أُمْسِكُ سَهْمِيَ الَّذِي بِخَيْبَرَ».

3318 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ، أخبرني يُونُسُ، عن ابنِ شِهَابٍ، أخبرني عَبْدُ اللَّهِ بنُ كَعْبِ بنِ مَالِكٍ، عن أَبِيهِ، أَنَّهُ قَالَ لِرَسُولِ اللَّهِ ﷺ حِينَ تِيبَ عَلَيْهِ: إِنِّي أَنْخَلِعُ مِنْ مَالِي، فَذَكَرَ نَحْوَهُ إِلَى «**خَيْرٌ لَكَ**».

3319 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ عُمَرَ: حدَّثنا سُفْيَانُ بنُ عُيَيْنَةَ، عن الزُّهْرِيِّ، عن ابنِ كَعْبِ بنِ مَالِكٍ، عن أَبِيهِ أَنَّهُ قالَ لِلنَّبِيِّ ﷺ أَوْ أَبو لُبَابَةَ أَوْ مَنْ شَاءَ اللَّهُ: إِنَّ مِنْ تَوْبَتِي أَنْ أَهْجُرَ دَارَ قَوْمِي الَّتِي أَصَبْتُ فِيهَا الذَّنْبَ، وَأَنْ أَنْخَلِعَ مِنْ مَالِي كُلِّهِ صَدَقَةً. قال: «**يُجْزِىءُ عَنْكَ الثُّلُثُ**».

3320 ـ حدّثنا مُحَمَّدُ بنُ المُتَوَكِّلِ: حدَّثنا عَبْدُ الرَّزَّاقِ قال: أخبرني مَعْمَرٌ، عَنِ الزُّهْرِيِّ قالَ: أخبرني ابنُ كَعْبِ بنِ مَالِكٍ قال: كَانَ أَبو لُبَابَةَ فَذَكَرَ مَعْنَاهُ وَالْقِصَّةَ لأَبِي لُبَابَةَ.

قال أَبُو دَاوُدَ: رَوَاهُ يُونُسُ، عن ابنِ شِهَابٍ، عن بَعْضِ بَنِي السَّائِبِ بنِ أَبِي لُبَابَةَ، وَرَوَاهُ الزُّبَيْدِيُّ، عن الزُّهْرِيِّ، عن حُسَيْنِ بنِ السَّائِبِ بنِ أَبِي لُبَابَةَ مِثْلَهُ.

3321- It is narrated on the authority of Ka'b Ibn Malik that he said: I said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! It is out of my repentance to give the whole of my property to Allah and His Messenger by way of charity." He said: "No." I said: "Then, let it be half of it." He said: "No." I said: "Then, let it be one-third." He said: "Yes." I said: "I am going to keep my share in Khaibar."

[30] When One Takes A Vow Which He Has No Power To Fulfill

3322- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who takes a vow which he does not define, let him make expiation for it like that of breaking an oath; and he, who takes a vow in disobedience, let him make expiation for it like that of breaking an oath; and he who takes a vow which he has no power to fulfill, let him make expiation for it like that for breaking an oath; and he, who takes a vow which he has power to fulfill, let him fulfill it."

Abu Dawud says: This narration is transmitted on the authority of Ibn Abbas, with whom it is ended up, according to many transmitters.

[31] When One Takes A Vow Which He Does Not Define

3323- It is narrated on the authority of Uqbah Ibn Amir that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The expiation of such a vow (as one does not define) is the same expiation of (breaking) an oath."

Abu Dawud says: The same is narrated on the authority of Uqbah, through another chain of transmission.

3324- A Hadith like this is narrated on the authority of Uqbah Ibn Amir from the Messenger of Allah "Allah's blessing and peace be upon him".

[32] When One Takes A Vow In The Pre-Islamic Period Of Ignorance, And Then He Embraces Islam

3325- It is narrated on the authority of Ibn Umar that Umar Ibn Al-Khattab said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! During the pre-Islamic period of ignorance, I vowed to practice I'tikaf for one night in the Sacred Mosque." The Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Then, fulfill your vow."

3321 ـ حدّثنا مُحَمَّدُ بنُ يَحْيَى، قالَ: حدَّثنا حَسَنُ بنُ الرَّبِيعِ، قال: حدَّثنا ابنُ إدْرِيسَ، قالَ: قالَ ابنُ إسْحَاقَ: حَدَّثَنِي الزُّهْرِيُّ، عن عَبْدِ الرَّحْمَنِ بنِ عَبْدِ اللَّهِ بنِ كَعْبٍ، عن أَبِيهِ عن جَدِّهِ فِي قِصَّتِهِ قال «قُلْتُ: يَا رَسُولَ اللَّهِ إنَّ مِنْ تَوْبَتِي إلَى اللَّهِ أَنْ أَخْرُجَ مِنْ مَالِي كُلِّهِ إلَى اللَّهِ وَإلَى رَسُولِهِ صَدَقَةً. قالَ: «**لاَ**». قُلْتُ: فَنِصْفَهُ. قالَ: «**لاَ**». قُلْتُ: فَثُلُثَهُ. قال: «**نَعَمْ**». قُلْتُ: فَإنِّي سَأُمْسِكُ سَهْمِيَ مِنْ خَيْبَرَ».

[ت30/م25] ـ باب من نذر نذرًا لا يطيقه

3322 ـ حدّثنا جَعْفَرُ بنُ مُسَافِرٍ التِّنِّيسِيُّ، عن ابنِ أَبِي فُدَيْكٍ قالَ: حَدَّثَنِي طَلْحَةُ بنُ يَحْيَى الأَنْصَارِيُّ، عن عَبْدِ اللَّهِ بنِ سَعِيدِ بنِ أَبِي هِنْدٍ، عن بُكَيْرِ بنِ عَبْدِ اللَّهِ بنِ الأَشَجِّ، عن كُرَيْبٍ، عن ابنِ عَبَّاسٍ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**مَنْ نَذَرَ نَذْرًا لَمْ يُسَمِّهِ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ وَمَنْ نَذَرَ نَذْرًا فِي مَعْصِيَةٍ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ، وَمَنْ نَذَرَ نَذْرًا لاَ يُطِيقُهُ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ، وَمَنْ نَذَرَ نَذْرًا أَطَاقَهُ فَلْيَفِ بِهِ**».

قال أَبُو دَاوُدَ: وَرَوَى هَذَا الْحَدِيثَ وَكِيعٌ وَغَيْرُهُ عن عَبْدِ اللَّهِ بنِ سَعِيدِ بنِ أَبِي الْهِنْدِ أَوْقَفُوهُ عَلَى ابنِ عَبَّاسٍ.

[ت31/م000] ـ باب من نذر نذرًا لم يسمّه

3323 ـ حدّثنا هَارُونُ بنُ عَبَّادٍ الأَزْدِيُّ، قالَ: حدَّثنا أَبُو بَكْرٍ ـ يَعْنِي ابنَ عَيَّاشٍ ـ، عن مُحَمَّدٍ مَوْلَى المُغِيرَةِ قال: حَدَّثَنِي كَعْبُ بنُ عَلْقَمَةَ، عن أَبِي الْخَيْرِ، عن عُقْبَةَ بنِ عَامِرٍ، قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**كَفَّارَةُ النَّذْرِ كَفَّارَةُ الْيَمِينِ**».

قال أَبُو دَاوُدَ: رَوَاهُ عَمْرُو بنُ الْحَارِثِ، عن كَعْبِ بنِ عَلْقَمَةَ، عن ابنِ شِمَاسَةَ، عن عُقْبَةَ.

3324 ـ حدّثنا مُحَمَّدُ بنُ عَوْفٍ أَنَّ سَعِيدَ بنَ الْحَكَمِ حَدَّثَهُمْ، قالَ: أخبرنا يَحْيَى ـ يَعْنِي ابنَ أَيُّوبَ ـ قال: حَدَّثَنِي كَعْبُ بنُ عَلْقَمَةَ أَنَّهُ سَمِعَ ابنَ شِمَاسَةَ، عن أَبِي الْخَيْرِ، عن عُقْبَةَ بنِ عَامِرٍ، عن النَّبِيِّ ﷺ مِثْلَهُ.

[ت32/م000] ـ باب من نذر في الجاهلية ثم أدرك الإسلام

3325 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ، قالَ: حدَّثنا يَحْيَى، عن عُبَيْدِ اللَّهِ، قال: حَدَّثَنِي نَافِعٌ، عن ابنِ عُمَرَ، عن عُمَرَ رضي اللَّهُ عنه أَنَّهُ قالَ: يَا رَسُولَ اللَّهِ إنِّي نَذَرْتُ فِي الْجَاهِلِيَّةِ أَنْ أَعْتَكِفَ فِي المَسْجِدِ الْحَرَامِ لَيْلَةً، فَقَالَ لَهُ النَّبِيُّ ﷺ: «**أَوْفِ بِنَذْرِكَ**».

(17/22) THE BOOK OF TRANSACTIONS

[1] What About The Transaction That Is Based On False Oaths

3326- It is narrated on the authority of Qais Ibn Abu Gharzah that he said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", we (the assembly of traders) were called the brokers. Once, the Messenger of Allah "Allah's blessing and peace be upon him" came upon us and gave us a name much better than that, when he said: "O community of traders! No doubt, both telling lies and falsity prevail in the transaction: so, you should (stop from that, or at least) mix it with charity (in order to remove the evil traces)."

3327- The same is narrated on the authority of Qais Ibn Abu Gharzah, through another chain of transmission.

[2] What About Extracting Metals

3328- It is narrated on the authority of Ibn Abbas that during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", a man stuck to his debtor who owed him ten Dinars. He said to him: "I have nothing to give you." The other said: "No, by Allah! I'm not to leave you unless you fulfill my (right to) me, otherwise, you should bring a bailsman (to guarantee that for me)." He took him to the Messenger of Allah "Allah's blessing and peace be upon him"; and the Messenger of Allah "Allah's blessing and peace be upon him" acted as his bailsman." He brought the Dinars to him in the specific time fixed by the Messenger of Allah "Allah's blessing and peace be upon him", thereupon the Messenger of Allah "Allah's blessing and peace be upon him" asked him: "How have you got that gold?" he said: "From (an earthware) metal." He said: "We are not in need of it, since there is no good in it." Then, the Messenger of Allah "Allah's blessing and peace be upon him" fulfilled his debt on behalf of him."

[3] Keeping Away From What Is Suspicious

3329- It is narrated on the authority of An-Nu'man Ibn Bashir that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Both legal and illegal things are clearly obvious, and in between them there are doubtful matters (of which lots of people have no knowledge); and let me set forth an example to you pertaining to that: Verily, Allah Almighty ahs made a protected zone, and indeed, Allah's protected zone is what He Almighty has forbidden; and whoever pastures

[22/17] ـ كتاب البيوع

[ت1/م1] ـ باب في التجارة يخالطها الحلف واللغو

3326 ـ حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو مُعَاوِيَةَ، عن الأَعْمَشِ، عن أَبِي وَائِلٍ، عن قَيْسِ بنِ أَبِي غَرَزَةَ قالَ: كُنَّا فِي عَهْدِ رَسُولِ اللَّهِ ﷺ نُسَمَّى السَّمَاسِرَةَ، فَمَرَّ بِنَا النَّبِيُّ ﷺ فَسَمَّانَا بِاسْمٍ هُوَ أَحْسَنُ مِنْهُ، فَقَالَ: «**يَا مَعْشَرَ التُّجَّارِ إِنَّ الْبَيْعَ يَحْضُرُهُ اللَّغْوُ وَالْحَلْفُ فَشُوبُوهُ بِالصَّدَقَةِ**».

3327 ـ حدّثنا الْحُسَيْنُ بنُ عِيسَىٰ الْبُسْطَامِيُّ وَحَامِدُ بنُ يَحْيَى وَعَبْدُ اللَّهِ بنُ مُحَمَّدٍ الزُّهْرِيُّ، قَالُوا: حدَّثنا سُفْيَانُ، عن جَامِعِ بنِ أَبِي رَاشِدٍ وَعَبْدُ المَلِكِ بنُ أَعْيَنَ وَعَاصِمٌ، عن أَبِي وَائِلٍ، عن قَيْسِ بنِ أَبِي غَرَزَةَ بِمَعْنَاهُ قال: «**يَحْضُرُهُ الْكَذِبُ وَالْحَلْفُ**»، وَقَالَ عَبْدُ اللَّهِ الزُّهْرِيُّ: «**اللَّغْوُ وَالْكَذِبُ**».

[ت2/م2] ـ باب في استخراج المعادن

3328 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ الْقَعْنَبِيُّ: أخبرنا عَبْدُ الْعَزِيزِ ـ يَعْنِي ابنَ مُحَمَّدٍ ـ، عن عَمْرٍو ـ يَعْنِي ابنَ أَبِي عَمْرٍو ـ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ أَنَّ رَجُلاً لَزِمَ غَرِيمًا لَهُ بِعَشْرَةِ دَنَانِيرَ، فَقَالَ: وَاللَّهِ لا أُفَارِقُكَ حَتَّى تَقْضِيَنِي أَوْ تَأْتِيَنِي بِحَمِيلٍ، قال: فَتَحَمَّلَ بِهَا النَّبِيُّ ﷺ، فَأَتَاهُ بِقَدْرِ مَا وَعَدَهُ، فَقَالَ لَهُ النَّبِيُّ ﷺ: «**مِنْ أَيْنَ أَصَبْتَ هَذَا الذَّهَبَ؟**» قالَ: مِنْ مَعْدَنٍ، قال: «**لاَ حَاجَةَ لَنَا فِيهَا، لَيْسَ فِيهَا خَيْرٌ**» فَقَضَاهَا عَنْهُ رَسُولُ اللَّهِ ﷺ.

[ت3/م3] ـ باب في اجتناب الشبهات

3329 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا أَبُو شِهَابٍ: حدَّثنا ابنُ عَوْنٍ، عن الشَّعْبِيِّ قال: سَمِعْتُ النُّعْمَانَ بنَ بَشِيرٍ يَقُولُ، وَلاَ أَسْمَعُ أَحَدًا بَعْدَهُ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِنَّ الْحَلاَلَ بَيِّنٌ، وَإِنَّ الْحَرَامَ بَيِّنٌ، وَبَيْنَهُمَا أُمُورٌ مُتَشَابِهَاتٌ**». أَحْيَانًا يَقُولُ: «**مُشْتَبِهَةٌ**» «**وَسَأَضْرِبُ لَكُمْ فِي ذَلِكَ مَثَلاً، إِنَّ اللَّه**

animals round the protected zone is about to mix with it; and whoever mixes with what is suspicious is about to dare (to do what is unlawful)."

3330- It is narrated on the authority of An-Nu'man Ibn Bashir that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Both legal and illegal things are obvious, and in between them there are doubtful matters, of which lots of people have no knowledge. So whoever forsakes those doubtful things (lest he may commit a sin), definitely keeps his religion and honour blameless; and whoever indulges in these suspicious things bravely, is about to fall in what is clearly illegal."

3331- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There will come a time upon the people, in which none will remain but that he will devour usury; and even if he does not do, he will be affected by (the traces of) its mist."

3332- It is narrated on the authority of Asim Ibn Kulaib from his father from a man belonging to the Ansar that he said: We set out in the company of the Messenger of Allah "Allah's blessing and peace be upon him" to follow a funeral procession, and I saw the Messenger of Allah "Allah's blessing and peace be upon him" at the grave saying to the digger: "Make it spacious from the direction of his legs! Make it spacious from the direction of his head!" when he returned he was received by a banquet female inviter thereupon he answered the invitation and the food was served, and he placed his hand (to start eating), and the people placed their hands and started eating. Then, our fathers observed that the Messenger of Allah "Allah's blessing and peace be upon him" was licking a morsel in his mouth, and then he said: "I detect the flesh of a sheep which was taken (and slaughtered) without the leave of its owners." The woman sent to him saying: "O Messenger of Allah! I sent somebody to Baqi' to buy a sheep for me, and I found nothing. I sent to a neighbour of mien, who has bought a sheep requesting him to send it to me for its price, but he was not present at home. I sent to his wife (the same request), and she sent it to me." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, feed the captives with its flesh."

[4] What About The Usury Devourer And Giver

3333- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: The Messenger of Allah "Allah's blessing and peace be upon him" cursed the usury devourer, giver, witness and writer.

حَمَى حِمًى، وَإِنَّ حِمَى اللَّهِ مَا حَرَّمَ اللَّه، وَإِنَّهُ مَنْ يَرْعَى حَوْلَ الْحِمَى يُوشِكُ أَنْ يُخَالِطَهُ وَإِنَّهُ مَنْ يُخَالِطُ الرِّيبَةَ يُوشِكُ أَنْ يَجْسُرَ».

3330 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ: أخبرنا عِيسَى، عن زَكَرِيَّا، عن عَامِرٍ الشَّعْبِيِّ قالَ: سَمِعْتُ النُّعْمَانَ بنَ بَشِيرٍ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ بِهَذَا الْحَدِيثِ قَالَ: «**وَبَيْنَهُمَا مُشَبَّهَاتٌ لاَ يَعْلَمُهَا كَثِيرٌ مِنَ النَّاسِ، فَمَنِ اتَّقَى الشُّبُهَاتِ اسْتَبْرَأَ دِينَهُ وَعِرْضَهُ وَمَنْ وَقَعَ فِي الشُّبُهَاتِ وَقَعَ فِي الْحَرَامِ**».

3331 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى: حدَّثنا هُشَيْمٌ: حدَّثنا عَبَّادُ بنُ رَاشِدٍ قالَ: سَمِعْتُ سَعِيدَ بنَ أَبِي خَيْرَةَ يَقُولُ: أخبرنا الْحَسَنُ مُنْذُ أَرْبَعِينَ سَنَةً، عن أَبِي هُرَيْرَةَ قالَ: قالَ النَّبِيُّ ﷺ. (ح)، وحدثنا وَهْبُ بنُ بَقِيَّةَ: أخبرنا خَالِدٌ، عن دَاوُدَ ـ يَعْنِي ابنَ أَبِي هِنْدٍ ـ وَهَذَا لَفْظُهُ، عن سَعِيدِ بنِ أَبِي خَيْرَةَ، عن الْحَسَنِ، عن أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لَيَأْتِيَنَّ عَلَى النَّاسِ زَمَانٌ لاَ يَبْقَى أَحَدٌ إِلاَّ أَكَلَ الرِّبَا فَإِنْ لَمْ يَأْكُلْهُ أَصَابَهُ مِنْ بُخَارِهِ**»، قالَ ابنُ عِيسَى: «**أَصَابَهُ مِنْ غُبَارِهِ**».

3332 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ: أخبرنا ابنُ إِدْرِيسَ: أخبرنا عَاصِمُ بنُ كُلَيْبٍ، عن أَبِيهِ، عن رَجُلٍ مِنَ الأَنْصَارِ قال: خَرَجْنَا مَعَ رَسُولِ اللَّهِ ﷺ فِي جَنَازَةٍ فَرَأَيْتُ رَسُولَ اللَّهِ ﷺ وَهُوَ عَلَى الْقَبرِ يُوصِي الْحَافِرَ: «**أَوْسِعْ مِنْ قِبَلِ رِجْلَيْهِ أَوْسِعْ مِنْ قِبَلِ رَأْسِهِ**» فَلَمَّا رَجَعَ اسْتَقْبَلَهُ دَاعِي امْرَأَةٍ، فَجَاءَ وَجِيءَ بالطَّعَامِ فَوَضَعَ يَدَهُ، ثُمَّ وَضَعَ الْقَوْمُ فَأَكَلُوا فَنَظَرَ آبَاؤُنَا رَسُولَ اللَّهِ ﷺ يَلُوكُ لُقْمَةً فِي فَمِهِ، ثُمَّ قَالَ: «**أَجِدُ لَحْمَ شَاةٍ أُخِذَتْ بِغَيْرِ إِذْنِ أَهْلِهَا**»، فَأَرْسَلَتِ الْمَرْأَةُ قَالَتْ: يَا رَسُولَ اللَّهِ إِنِّي أَرْسَلْتُ إِلَى الْبَقِيعِ يَشْتَرِي لِي شَاةً فَلَمْ أَجِدْ فَأَرْسَلْتُ إِلَى جَارٍ لِي قَدِ اشْتَرَى شَاةً أَنْ أَرْسِلْ إِلَيَّ بِهَا بِثَمَنِهَا فَلَمْ يُوجَدْ فَأَرْسَلْتُ إِلَى امْرَأَتِهِ فَأَرْسَلَتْ إِلَيَّ بِهَا فَقَالَ رَسُولُ اللَّهِ ﷺ: «**أَطْعِمِيهِ الأُسَارَى**».

[ت4/م4] ـ باب في آكل الربا ومؤكله

3333 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا زُهَيْرٌ: حدَّثنا سِمَاكٌ، حَدَّثَنِي عَبْدُ الرَّحْمَنِ بنُ عَبْدِ اللَّهِ بنِ مَسْعُودٍ، عن أَبِيهِ قال: «لَعَنَ رَسُولُ اللَّهِ ﷺ آكِلَ الرِّبَا وَمُوكِلَهُ وَشَاهِدَهُ وَكَاتِبَهُ».

[5] Canceling Out Usury

3334- It is narrated on the authority of Sulaiman Ibn Amr from his father that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said in his Farewell Hajj: "The usury of the pre-Islamic period of ignorance is also to be abolished. But you have claim over your wealth on the condition that you should not be wrongful, nor wronged. Behold! The blood (claims) of retaliations of the Days of the pre-Islamic period of Ignorance are to be annulled. The first claim of ours on blood of retaliation, which I abolish, is that of Al-Harith Ibn Abd Al-Muttalib, who was nursed in the tribe of Laith and then killed by (the tribe of) Hudhail. Have I reported (Allah's Message to you)?" they said: "Yes you have done." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "O Allah! Be witness to that!" he said it thrice.

[6] It Is Undesirable To Take Oath In Transactions

3335- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Indeed, taking oath might be (a cause of) promoting the commodity, but at the same time, it always blights the blessing (of the earnings)."

[7] Giving Full Measure And Weight, And Doing The Job Of Weighing For Charge

3336- It is narrated on the authority of Suwaid Ibn Qais that he said: I and Makhrafah Al-Abdi brought some silk from Hajar, and we returned with that to Mecca. the Messenger of Allah "Allah's blessing and peace be upon him" came to purchase from us some trousers; and we had a weigher, who did his job of weighing for charge thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "O weigher! Weigh, and make full your weight!" (It is well-known fact that the silk was forbidden to men in the world, according to many authentic narrations from the Messenger of Allah "Allah's blessing and peace be upon him"; and the Messenger of Allah "Allah's blessing and peace be upon him" was not to oppose what was forbidden; and this supports the opinion of As-Suyuti in his footnote on Sunan Abu Dawud that although the Messenger of Allah "Allah's blessing and peace be upon him" bought the silk trousers, he did not wear them)

3337- It is narrated on the authority of Abu Malik: Safwan Ibn Umairah that he said: Before Migration, I went to the Messenger of Allah "Allah's blessing and peace be upon him" in Mecca...and the rest is the same, but no mention is made of doing the job of weighing for charge.

[ت5/م5] ـ باب في وضع الربا

3334 ـ حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو الأَحْوَصِ: حدَّثنا شَبِيبُ بنُ غَرْقَدَةَ، عن سُلَيْمَانَ بنِ عَمْرٍو، عن أَبِيهِ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ في حِجَّةِ الْوَدَاعِ يَقُولُ: «**أَلاَ إِنَّ كُلَّ رِبًا مِنْ رِبَا الْجَاهِلِيَّةِ مَوْضُوعٌ لَكُمْ رُؤُوسُ أَمْوَالِكُمْ لاَ تَظْلِمُونَ وَلا تُظْلَمُونَ، أَلاَ وَإِنَّ كُلَّ دَمٍ مِنْ دَمِ الْجَاهِلِيَّةِ مَوْضُوعٌ، وَأَوَّلُ دَمٍ أَضَعُ مِنْهَا دَمُ الْحَارِثِ بنِ عَبْدِ الْمُطَّلِبِ**» كَانَ مُسْتَرْضَعًا فِي بَنِي لَيْثٍ فَقَتَلَتْهُ هُذَيْلٌ، قَالَ: «**اللَّهُمَّ هَلْ بَلَّغْتُ؟**» قَالُوا: نَعَمْ ثَلاَثَ مَرَّاتٍ، قالَ: «**اللَّهُمَّ اشْهَدْ**» ثَلاَثَ مَرَّاتٍ.

[ت6/م6] ـ باب في كراهية اليمين في البيع

3335 ـ حدّثنا أَحْمَدُ بنُ عَمْرِو بنِ السَّرْحِ: حدَّثنا ابنُ وَهْبٍ: (ح)، وحدَّثنا أَحْمَدُ بنُ صَالِحٍ، ثنا عَنْبَسَةُ، عن يُونُسَ، عن ابنِ شِهَابٍ قَالَ: قَالَ لِي ابنُ المُسَيَّبِ: إِنَّ أَبَا هُرَيْرَةَ قالَ سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**الْحَلْفُ مَنْفَقَةٌ لِلسِّلْعَةِ مَمْحَقَةٌ لِلْبَرَكَةِ**»، وَقَالَ ابنُ السَّرْحِ: «**لِلْكَسْبِ**»، وَقَالَ: عَنْ سَعِيدِ بنِ المُسَيَّبِ، عن أَبِي هُرَيْرَةَ، عن النَّبِيِّ ﷺ.

[ت7/م7] ـ باب في الرجحان في الوزن والوزن بالأَجر

3336 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ مُعَاذٍ: حدَّثنا أَبِي: حدَّثنا سُفْيَانُ، عن سِمَاكِ بنِ حَرْبٍ: حَدَّثَنِي سُوَيْدُ بنُ قَيْسٍ قال: جَلَبْتُ أَنَا وَمَخْرَفَةُ الْعَبْدِيُّ بَزًّا مِنْ هَجَرَ فَأَتَيْنَا بِهِ مَكَّةَ، فَجَاءَنَا رَسُولُ اللَّهِ ﷺ يَمْشِي فَسَاوَمَنَا بِسَرَاوِيلَ فَبِعْنَاهُ وَثَمَّ رَجُلٌ يَزِنُ بالأَجْرِ، فَقَالَ لَهُ رَسُولُ اللَّهِ ﷺ: «**زِنْ وَأَرْجِحْ**».

3337 ـ حدّثنا حَفْصُ بنُ عُمَرَ وَمُسْلِمُ بنُ إِبْرَاهِيمَ: المَعْنَى قَرِيبٌ، قَالاَ: أخبرنا شُعْبَةُ، عن سِمَاكِ بنِ حَرْبٍ، عن أَبِي صَفْوَانَ بنِ عُمَيْرَةَ قَالَ: أَتَيْتُ رَسُولَ اللَّهِ ﷺ بِمَكَّةَ قَبْلَ أَنْ يُهَاجِرَ بِهَذَا الْحَدِيثِ وَلَمْ يَذْكُرْ «**زِنْ بِأَجْرٍ**».

قال أَبُو دَاوُدَ: رَوَاهُ قَيْسٌ كَمَا قالَ سُفْيَانُ وَالْقَوْلُ قَوْلُ سُفْيَانَ.

3338- It is narrated on the authority of Yahya Ibn Ma'in that he said: (You should make no heed to) such as narrates anything different from Sufyan, for the narration of Sufyan is the most authentic in this respect.

3339- It is narrated on the authority of Shu'bah that he said: Sufyan had a memory much better than mine.

[8] The Prophet's Statement: "Let The Measuring Be In Accordance With The Measure Of Medina"

3340- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let the weighing be in accordance with the weight of the inhabitants of Mecca, and the measuring in accordance with the measure of the inhabitants of Medina."

Abu Dawud says: The same is narrated on the authority of Ibn Abbas, through another chain of transmitters, with difference in the text among the narrations.

[9] The Relentless Request Of Fulfilling The Debt

3341- It is narrated on the authority of Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" addressed us saying: "Is there anyone belonging to the sons of so and so?" no reply was given. He said once again: "Is there anyone belonging to the sons of so and so?" no reply was given. He asked: "Is there anyone belonging to the sons of so and so?" a man stood up and said: "I O Messenger of Allah." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "What did prevent you from answering me in the previous two times? Indeed, I did not refer to you but for good. Your (deceased) companion is now detained (from being admitted to the Garden) on account of his debt." I saw him having fulfilled the debt on his behalf, to the extent that he came to have nothing due upon him.

3342- It is narrated on the authority of Abu Burdah from Abu Musa Al-Ash'ari that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The greatest sins with which one might meet Allah (on the Day of Judgement) after the major sins which Allah Almighty has forbidden, is that a man dies while being indebted, and leaves nothing to fulfill it."

3343- It is narrated on the authority of Jabir that he said: It was the habit of the Messenger of Allah "Allah's blessing and peace be upon him" not to offer the funeral prayer upon such as dies while being in debt. Once, (the

3338 ـ حدّثنا ابنُ أَبِي رِزمَةَ قالَ: سَمِعْتُ أَبِي يَقُولُ: قَالَ رَجُلٌ لِشُعْبَةَ خَالَفَكَ سُفْيَانُ قالَ: دَمَغْتَنِي وَبَلَغَنِي عَنْ يَحْيَى بنِ مَعِينٍ قالَ: كُلُّ مَنْ خَالَفَ سُفْيَانَ فَالْقَوْلُ قَوْلُ سُفْيَانَ.

3339 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا وَكِيعٌ، عن شُعْبَةَ قال: كَانَ سُفْيَانُ أَحْفَظَ مِنِّي.

[ت8/م8] ـ باب في قول النبي ﷺ المكيال مكيال المدينة

3340 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا ابنُ دُكَيْنٍ: حدَّثنا سُفْيَانُ، عن حَنْظَلَةَ، عن طَاوُسٍ، عن ابنِ عُمَرَ قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الْوَزْنُ وَزْنُ أَهْلِ مَكَّةَ وَالمِكْيَالُ مِكْيَالُ أَهْلِ المَدِينَةِ**».

قال أَبُو دَاوُدَ: وَكَذَا رَوَاهُ الْفِرْيَابِيُّ وَأَبُو أَحْمَدَ: عن سُفْيَانَ، وَافَقَهُمَا فِي المَتْنِ، وَقَالَ أَبُو أَحْمَدَ: عن ابنِ عَبَّاسٍ مَكَانَ ابنِ عُمَرَ: وَرَوَاهُ الْوَلِيدُ بنُ مُسْلِمٍ عن حَنْظَلَةَ فَقَالَ: «وَزْنُ المَدِينَةِ وَمِكْيَالُ مَكَّةَ».

قال أَبُو دَاوُدَ: وَاخْتُلِفَ فِي المَتْنِ فِي حَدِيثِ مَالِكِ بنِ دِينَارٍ، عن عَطَاءٍ، عن النَّبِيِّ ﷺ فِي هَذَا.

[ت9/م9] ـ باب في التشديد في الدين

3341 ـ حدّثنا سَعِيدُ بنُ مَنْصُورٍ: حدَّثنا أَبُو الأَحْوَصِ، عن سَعِيدِ بنِ مَسْرُوقٍ، عن الشَّعْبِيِّ، عن سَمْعَانَ، عن سَمُرَةَ قال: خَطَبَنَا رَسُولُ اللَّهِ ﷺ فَقَالَ: «**هٰهُنَا أَحَدٌ مِنْ بَنِي فُلانٍ؟**» فَلَمْ يُجِبْهُ أَحَدٌ، ثُمَّ قالَ: «**هٰهُنَا أَحَدٌ مِنْ بَنِي فُلانٍ؟**»، فَلَمْ يُجِبْهُ أَحَدٌ. ثُمَّ قَالَ: «**هٰهُنَا أَحَدٌ مِنْ بَنِي فُلانٍ؟**»، فَقَامَ رَجُلٌ فَقَالَ: أَنَا يَا رَسُولَ اللَّهِ، فَقَالَ ﷺ: «**مَا مَنَعَكَ أَنْ تُجِيبَنِي فِي المَرَّتَيْنِ الأُولَيَيْنِ أَمَا إِنِّي لَمْ أُنَوِّهْ بِكُمْ إِلاَّ خَيْرًا إِنَّ صَاحِبَكُمْ مَأْسُورٌ بِدَيْنِهِ**»، فَلَقَدْ رَأَيْتُهُ أُدِّيَ عَنْهُ حَتَّى مَا بَقِيَ أَحَدٌ يَطْلُبُهُ بِشَيْءٍ.

قال أَبُو دَاوُدَ: سَمْعَانُ بنُ مَشِيحٍ، وقَالَ بَعْضُهُمْ: سُفْيَانُ بنُ مُشَنَّجٍ.

3342 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ المَهْرِيُّ: حدَّثنا ابنُ وَهْبٍ: حَدَّثَنِي سَعِيدُ بنُ أَبِي أَيُّوبَ أَنَّهُ سَمِعَ أَبَا عَبْدِ اللَّهِ الْقُرَشِيَّ يَقُولُ: سَمِعْتُ أَبَا بُرْدَةَ بنَ مُوسَى الأَشْعَرِيَّ يَقُولُ: عن أَبِيهِ، عن رَسُولِ اللَّهِ ﷺ أَنَّهُ قَالَ: «**إِنَّ أَعْظَمَ الذُّنُوبِ عِنْدَ اللَّهِ أَنْ يَلْقَاهُ بِهَا عَبْدٌ بَعْدَ الْكَبَائِرِ الَّتِي نَهَى اللَّه عَنْهَا أَنْ يَمُوتَ رَجُلٌ وَعَلَيْهِ دَيْنٌ لاَ يَدَعُ لَهُ قَضَاءً**».

3343 ـ حدّثنا مُحَمَّدُ بنُ المُتَوَكِّلِ الْعَسْقَلاَنِيُّ: حدَّثنا عَبْدُ الرَّزَّاقِ: أخبرنا مَعْمَرٌ عن الزُّهْرِيِّ، عن أَبِي سَلَمَةَ، عن جَابِرٍ قالَ: كَانَ رَسُولُ اللَّهِ ﷺ لاَ يُصَلِّي عَلَى رَجُلٍ

dead body of) a an was brought to him (to lead the funeral prayer for him), thereupon he asked: "Is he owing anything?" they said: "Yes, he owes two Dinars." He said: "Then, offer the funeral prayer on your companion." Abu Qatadah Al-Ansari stood and said: "Those (two Dinars) are due upon me (to fulfill) O Messenger of Allah." The Messenger of Allah "Allah's blessing and peace be upon him" led the funeral prayer on him. Later on, when Allah Almighty endowed the Messenger of Allah "Allah's blessing and peace be upon him" with property because of the conquests, he said: "I'm much closer to every faithful believer than his own self: he, who dies and leaves a debt to be fulfilled, it is incumbent upon me to fulfill it, and he, who dies and leaves property, it should go to his heirs."

3344- A Hadith like this is narrated on the authority of Ibn Abbas, with the following addition: He bought a three-year-old cow from a caravan, and its price was not in his possession, and then he had opportunity to gain profit by selling it, thereupon he sold it, and spent as charity the profit on the female widows of the offspring of Abd Al-Muttalib and said: "I will never buy anything afterwards unless I have its price in my possession."

[10] What About Repayment Procrastination

3345- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The procrastination by a wealthy man (of debt repayment) is injustice; and if (the debt of) anyone of you is transferred to a wealthier debtor (who is able to fulfill it), let him agree."

[11] The Best Of Fulfillment

3346- It is narrated on the authority of Abu Rafi' that he said: The Messenger of Allah "Allah's blessing and peace be upon him" loaned a young healthy camel (to give it in charity), and when the camels of charity were brought to him, he ordered me to return the camel to the creditor. I said to him: "I have not found among the camels but a seven-year-old one." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Give it to him, for indeed, the best among the people is the most ready to fulfill his debt among them."

3347- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" owed me a debt, and he fulfilled it to me with increase.

مَاتَ وَعَلَيْهِ دَيْنٌ، فَأُتِيَ بِمَيِّتٍ فَقَالَ: «**أَعَلَيْهِ دَيْنٌ؟**» قَالُوا: نَعَمْ دِينَارَانِ، قَالَ: صَلُّوا عَلَى صَاحِبِكُمْ، فَقَالَ أَبُو قَتَادَةَ الأَنْصَارِيُّ: هُمَا عَلَيَّ يَا رَسُولَ اللَّهِ، فَصَلَّى عَلَيْهِ رَسُولُ اللَّهِ ﷺ فَلَمَّا فَتَحَ اللَّهُ عَلَى رَسُولِ اللَّهِ ﷺ قَالَ: «**أَنَا أَوْلَى بِكُلِّ مُؤْمِنٍ مِنْ نَفْسِهِ، فَمَنْ تَرَكَ دَيْنًا فَعَلَيَّ قَضَاؤُهُ، وَمَنْ تَرَكَ مَالاً فَلِوَرَثَتِهِ**».

3344 ـ حدّثنا عُثْمَانُ بْنُ أَبِي شَيْبَةَ وَقُتَيْبَةُ بْنُ سَعِيدٍ، عن شَرِيكٍ، عن سِمَاكٍ، عن عِكْرِمَةَ رَفَعَهُ، قال عُثْمَانُ: وَأَخْبَرَنَا وَكِيعٌ، عَنْ شَرِيكٍ، عن سِمَاكٍ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ عن النَّبِيِّ ﷺ مِثْلَهُ قال: اشْتَرَى مِنْ عِيرٍ تَبيعًا وَلَيْسَ عِنْدَهُ ثَمَنُهُ، فَأُرْبِحَ فِيهِ فَبَاعَهُ، فَتَصَدَّقَ بالرِّبْحِ عَلَى أَرَامِلِ بَنِي عَبْدِ الْمُطَّلِبِ وَقَالَ: لاَ أَشْتَرِي بَعْدَهَا شَيْئًا إِلاَّ وَعِنْدِي ثَمَنُهُ.

[ت10/م10] ـ باب في المَطْل

3345 ـ حدّثنا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ الْقَعْنَبِيُّ، عن مَالِكٍ، عن أَبِي الزِّنَادِ، عن الأَعْرَجِ، عن أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**مَطْلُ الْغَنِيِّ ظُلْمٌ، وَإِذَا أُتْبِعَ أَحَدُكُمْ عَلَى مَلِيءٍ فَلْيَتْبَعْ**».

[ت11/م11] ـ باب في حسن القضاء

3346 ـ حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن زَيْدِ بنِ أَسْلَمَ، عن عَطَاءِ بنِ يَسَارٍ، عن أَبِي رَافِعٍ قال: اسْتَسْلَفَ رَسُولُ اللَّهِ ﷺ بَكْرًا فَجَاءَتْهُ إِبِلٌ مِنَ الصَّدَقَةِ فَأَمَرَنِي أَنْ أَقْضِيَ الرَّجُلَ بَكْرَهُ، فَقُلْتُ: لَمْ أَجِدْ فِي الإِبِلِ إِلاَّ جَمَلاً خِيَارًا رَبَاعِيًا، فقالَ النَّبِيُّ ﷺ: «**أَعْطِهِ إِيَّاهُ فَإِنَّ خِيَارَ النَّاسِ أَحْسَنُهُمْ قَضَاءً**».

3347 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدّثنا يَحْيَى، عن مِسْعَرٍ، عن مُحَارِبِ بنِ دِثَارٍ قالَ: سَمِعْتُ جَابِرَ بنَ عَبْدِ اللَّهِ قال: كَانَ لِي عَلَى النَّبِيِّ ﷺ دَيْنٌ فَقَضَانِي وَزَادَنِي.

[12] What About The Exchange Of Coins?

3348- It is narrated on the authority of Umar Ibn Al-Khattab that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "The bartering of gold for gold is usury, except if it is from hand to hand and equal in amount; and wheat grain for wheat grain is usury except if it is from hand to hand and equal in amount; and dates for dates is usury except if it is from hand to hand and equal in amount; and barley for barley is usury except if it is from hand to hand and equal in amount."

3349- It is narrated on the authority of Ubadah Ibn As-Samit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "(Bartering) gold for gold should be like by like; silver for silver like by like; wheat for wheat measure by measure; parley for parley measure by measure; dates for dates measure by measure; salt for salt measure by measure: whoever gives or asks for increase has devoured usury. There is no harm to sell gold for silver on the condition that silver should be more, from hand to hand (on the spot), but not on credit; and there is no harm to sell wheat for parley, on the condition that the parley should be more, from hand to hand (on the spot), but not on credit."

3350- A Hadith like this is narrated on the authority of Ubadah Ibn As-Samit from the Messenger of Allah "Allah's blessing and peace be upon him", with the following addition: "And in case of the difference of goods, sell (one for another) as you like, on the condition that it should be from hand to hand (on the spot)."

[13] The Ornament Of The Sword Might Be Sold By Dirhams

3351- It is narrated on the authority of Fadalah Ibn Ubaid that he said: in the year of (the holy battle of) Khaibar, a necklace containing pieces of gold and jims was brought to the Messenger of Allah "Allah's blessing and peace be upon him" (and it was intended to be sold), which a man had purchased by nine or seven Dinars, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "No (it is not fitting) until you separate the pieces of gold from it." The man said: "I've intended to get the stones (of gold)." But the Messenger of Allah "Allah's blessing and peace be upon him" said: "No (it is not fitting) until you separate the pieces of gold from it." He brought it back until the pieces of gold were separated from it.

3352- It is narrated on the authority of Fadalah Ibn Ubaid that he said: In the year of (the holy battle of) Khaibar, I bought a necklace containing pieces of gold and jims by twelve Dinars, and when I parted (gold from) it,

[ت12/م12] ـ باب في الصرف

3348 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ الْقَعْنَبِيُّ، عن مَالِكٍ، عن ابنِ شِهَابٍ، عن مَالِكِ بنِ أَوْسٍ، عن عُمَرَ قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الذَّهَبُ بالذَّهَبِ رِبًا إلاَّ هَاءَ وَهَاءَ، وَالْبُرُّ بالْبُرِّ رِبًا إلاَّ هَاءَ وَهَاءَ، وَالتَّمْرُ بالتَّمْرِ رِبًا إلاَّ هَاءَ وَهَاءَ، وَالشَّعِيرُ بالشَّعِيرِ رِبًا إلاَّ هَاءَ وَهَاءَ»**.

3349 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: أخبرنا بِشْرُ بنُ عُمَرَ: أخبرنا هَمَّامٌ، عن قَتَادَةَ، عن أَبِي الْخَلِيلِ، عن مُسْلِم الْمَكِّيِّ، عن أَبي الأَشْعَثِ الصَّنْعَانِيِّ، عن عُبَادَةَ بنِ الصَّامِتِ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: **«الذَّهَبُ بالذَّهَبِ تِبْرُهَا وَعَيْنُهَا، وَالْفِضَّةُ بالْفِضَّةِ تِبْرُهَا وَعَيْنُهَا، وَالْبُرُّ بالْبُرِّ مُدْيٌ بِمُدْيٍ، وَالشَّعِيرُ بالشَّعِيرِ مُدْيٌ بِمُدْيٍ، وَالتَّمْرُ بالتَّمْرِ مُدْيٌ بِمُدْيٍ، وَالْمِلْحُ بالمِلْحِ مُدْيٌ بِمُدْيٍ، فَمَنْ زَادَ أَوِ ازْدَادَ فَقَدْ أَرْبَى. وَلاَ بَأْسَ بِبَيْعِ الذَّهَبِ بالْفِضَّةِ وَالْفِضَّةُ أَكْثَرُهُمَا، يَدًا بِيَدٍ وَأَمَّا نَسِيئَةً فَلاَ، وَلاَ بَأْسَ بِبَيْعِ الْبُرِّ بالشَّعِيرِ وَالشَّعِيرُ أَكْثَرُهُمَا، يَدًا بِيَدٍ، وَأَمَّا نَسِيئَةً فَلاَ»**.

قال أَبُو دَاوُدَ: رَوَى هَذَا الْحَدِيثِ سَعِيدُ بنُ أَبي عَرُوبَةَ وَهِشَامٌ الدَّسْتَوَائِيُّ عن قَتَادَةَ عن مُسْلِمِ بنِ يَسَارٍ بِإِسْنَادِهِ.

3350 ـ حدّثنا أَبُو بَكْرِ بنِ أَبِي شَيْبَةَ: أخبرنا وَكِيعٌ: أخبرنا سُفْيَانُ، عن خَالِدٍ، عن أَبي قِلاَبَةَ، عن أَبي الأَشْعَثِ الصَّنْعَانِيِّ، عن عُبَادَةَ بنِ الصَّامِتِ، عن النَّبِيِّ ﷺ بِهَذَا الْخَبَرِ يَزِيدُ وَيَنْقُصُ، وَزَادَ قال: **«فَإِذَا اخْتَلَفَتْ هَذِهِ الأَصْنَافُ فَبِيعُوهُ كَيْفَ شِئْتُمْ إِذَا كَانَ يَدًا بِيَدٍ»**.

[ت13/م13] ـ باب في حلية السيف تباع بالدراهم

3351 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى وَأَبُو بَكْرِ بنِ أَبِي شَيْبَةَ وَأَحْمَدُ بنُ مَنِيعٍ، قالُوا: حدَّثنا ابنُ الْمُبارَكِ. (ح)، وحدَّثنا ابنُ الْعَلاَءِ: أَخْبَرَنَا ابنُ الْمُبَارَكِ، عن سَعِيدِ بنِ يَزِيدَ قالَ: حَدَّثَنِي خَالِدُ بنُ أَبِي عِمْرَانَ، عن حَنَشٍ، عن فَضَالَةَ بنِ عُبَيْدٍ قالَ: أُتِيَ النَّبِيُّ ﷺ عَامَ خَيْبَرَ بِقِلاَدَةٍ فِيهَا ذَهَبٌ وَخَرَزٌ، قَالَ أَبُو بَكْرٍ وَابْنُ مَنِيعٍ: فِيهَا خَرَزٌ مُعَلَّقَةٌ بِذَهَبٍ ابْتَاعَهَا رَجُلٌ بِتِسْعَةِ دَنَانِيرَ أَوْ بِسَبْعَةِ دَنَانِيرَ، فَقَالَ النَّبِيُّ ﷺ: **«لاَ، حَتَّى تُمَيِّزَ بَيْنَهُ وَبَيْنَهُ»**، فَقَالَ: إِنَّمَا أَرَدْتُ الْحِجَارَةَ، فَقَالَ النَّبِيُّ ﷺ: **«لاَ، حَتَّى تُمَيِّزَ بَيْنَهُمَا»** قال: فَرَدَّهُ حَتَّى مُيِّزَ بَيْنَهُمَا، وَقَالَ ابنُ عِيسَى: أَرَدْتُ التِّجَارَةَ.

قال أَبُو دَاوُدَ: وَكَانَ فِي كِتَابِهِ «الْحِجَارَةُ» فَغَيَّرَهُ فَقَالَ: «التجارةُ».

3352 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ حدَّثنا اللَّيْثُ، عن أَبي شُجَاعٍ سَعِيدِ بنِ يَزِيدَ عن خَالِدِ بنِ أَبي عِمْرَانَ، عن حَنَشٍ الصَّنْعَانِيِّ، عن فَضَالَةَ بنِ عُبَيْدٍ قال: اشْتَرَيْتُ يَوْمَ خَيْبَرَ قِلاَدَةً بِاثْنَيْ عَشَرَ

I found that it contained gold more than twelve Dinars. I made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him", who said: "Let not it be sold unless it (gold) is separated."

3353- It is narrated on the authority of Fadalah Ibn Ubaid that he said: We were with the Messenger of Allah "Allah's blessing and peace be upon him" on the day of (the holy battle of) Khaibar, we purchased gold from the Jews, on average of an ounce for a Dinar (of gold), two or three, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not sell gold for gold unless it is weight by weight."

[14] Taking (The Dinars Of) Gold Instead Of (The Dirhams Of) Silver And Vice Versa

3354- It is narrated on the authority of Ibn Umar that he said: I used to sell camels at Baqi' for Dinars, and take Dirhams (equal in value of silver) instead of Dinars (of gold), and sometimes I would sell them by Dirhams (of silver) and take Dinars (of equal value of gold) instead of Dirhams: in other words, I might take or give instead of those (Dinars) these (Dirhams of equal value), and sometimes, I would take or give instead of these (Dirhams) those (Dinars of equal value). I went to the Messenger of Allah "Allah's blessing and peace be upon him" in the house of Hafsah and said: "O Messenger of Allah! Allow me to ask you about something: I used to sell camels at Baqi' for Dinars, and take Dirhams (equal in value of silver) instead of Dinars (of gold), and sometimes I would sell them by Dirhams (of silver) and take Dinars (of equal value of gold) instead of Dirhams: in other words, I might take or give instead of those (Dinars) these (Dirhams of equal value), and sometimes, I would take or give instead of these (Dirhams) those (Dinars of equal value)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no harm to take any of both and give the other (in return for it) in accordance with its duly value at that time, on the condition that you do not leave your companion (with whom you make such exchange) and there is anything (of debt) between you."

3355- The same is narrated on the authority of Simak, through the same chain of transmitters, but no mention is made of the condition that it should be in accordance with its duly value at that time.

[15] What About Selling Animal For Animal On Credit

3356- It is narrated on the authority of Samurah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling animal for animal on credit.

دِينَارًا، فِيهَا ذَهَبٌ وَخَرَزٌ فَفَصَّلْتُهَا فَوَجَدْتُ فِيهَا أَكْثَرَ مِنْ اثْنَيْ عَشَرَ دِينَارًا فَذَكَرْتُ ذَلِكَ لِلنَّبِيِّ ﷺ فقال: «**لاَ تُبَاعُ حَتَّى تُفَصَّلَ**».

3353 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا اللَّيْثُ، عن ابنِ أبي جَعْفَرٍ عن الْجُلاَحِ أبي كَثِيرٍ قالَ: حَدَّثَنِي حَنَشٌ الصَّنْعَانِيُّ، عن فَضَالَةَ بنِ عُبَيْدٍ قالَ: كُنَّا مَعَ رَسُولِ اللَّهِ ﷺ يَوْمَ خَيْبَرَ نُبَايِعُ الْيَهُودَ الأُوقِيَّةَ مِنَ الذَّهَبِ بالدِّينَارِ، قال غَيْرُ قُتَيْبَةَ: بالدِّينَارَيْنِ وَالثَّلاَثَةِ، ثُمَّ اتَّفَقَا، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ تَبِيعُوا الذَّهَبَ بالذَّهَبِ إلاَّ وَزْنًا بِوَزْنٍ**».

[ت14/م14] ـ باب في اقتضاء الذهب من الورِق

3354 ـ حدّثنا مُوسَى بنُ إسْمَاعِيلَ وَمُحَمَّدُ بنُ مَحْبُوبٍ، المَعْنَى وَاحِدٌ، قالاَ: أخبرنا حَمَّادٌ، عن سِمَاكِ بنِ حَرْبٍ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عُمَرَ قال: كُنْتُ أَبِيعُ الإِبِلَ بالْبَقِيعِ فَأَبِيعُ بالدَّنَانِيرِ وَآخُذُ الدَّرَاهِمَ، وَأَبِيعُ بالدَّرَاهِمِ وَآخُذُ الدَّنَانِيرَ، آخُذُ هَذِهِ مِنْ هَذِهِ، وَأُعْطِي هَذِهِ مِنْ هَذِهِ، فَأَتَيْتُ رَسُولَ اللَّهِ ﷺ وَهُوَ فِي بَيْتِ حَفْصَةَ، فَقُلْتُ: يَا رَسُولَ اللَّهِ رُوَيْدَكَ أَسْأَلُكَ: إِنِّي أَبِيعُ الإِبِلَ بالْبَقِيعِ فَأَبِيعُ بالدَّنَانِيرِ وَآخُذُ الدَّرَاهِمَ وَأَبِيعُ بالدَّرَاهِمِ وَآخُذُ الدَّنَانِيرَ، آخُذُ هَذِهِ مِنْ هَذِهِ وَأُعْطِي هَذِهِ مِنْ هَذِهِ، فقالَ رَسُولُ اللَّهِ ﷺ: «**لاَ بَأْسَ أَنْ تَأْخُذَهَا بِسِعْرِ يَوْمِهَا مَا لَمْ تَفْتَرِقَا وَبَيْنَكُمَا شَيْءٌ**».

3355 ـ حدّثنا حُسَيْنُ بنُ الأَسْوَدِ: حدَّثنا عُبَيْدُ اللَّهِ: أَخبَرَنَا إِسْرَائِيلُ، عن سِمَاكٍ بِإِسْنَادِهِ وَمَعْنَاهُ وَالأَوَّلُ أَتَمُّ، لَمْ يَذْكُرْ: «**بِسِعْرِ يَوْمِهَا**».

[ت15/م15] ـ باب في الحيوان بالحيوان نسيئة

3356 ـ حدّثنا مُوسَى بنُ إسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن قَتَادَةَ، عن الْحَسَنِ، عن سَمُرَةَ: «أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ الْحَيَوانِ بالْحَيَوَانِ نَسِيئَةً».

[16] The Concession Pertaining To That

3357- It is narrated on the authority of Abdullah Ibn Amr that the Messenger of Allah "Allah's blessing and peace be upon him" ordered him to prepare a military expedition, and when they ran short of camels, he ordered him to buy camels on the credit of the camels of charity, thereupon he took the camel for two on credit until the camels of charity would come.

[17] The Permissibility Of That In Case It Is Done From Hand To Hand

3358- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" purchased a slave by two (on the spot).

[18] Selling Dates For Dates

3359- It is narrated on the authority of Zaid Abu Ayyash, a freed slave belonging to Banu Zuhrah that he asked Sa'd Ibn Abu Waqqas about purchasing parley by Sult (a kind of grains between parley and wheat), thereupon Sa'd asked him: "Which of both is better?" he said: "The parley." On that he forbade me to do so and said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said, when he was asked about buying fresh dates by dry dates: "Do the fresh dates decrease after being dried?" they answered in the affirmative, thereupon he forbade it.

Abu Dawud says: The same is narrated on the authority of Isma'il Ibn Umayyah.

3360- It is narrated on the authority of Abu Ayyash that he heard Sa'd Ibn Abu Waqqas having said: the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling fresh dates for dry dates on credit.

Abu Dawud says: The same is narrated on the authority of Sa'd from the Messenger of Allah "Allah's blessing and peace be upon him", through a different chain of transmitters.

[19] What About Muzabanah

(to sell the dates of one's garden, in case it is of date-palms for measured amount of dry dates; and in case it is of vine for measured amount of raisin; and in case it is of crops, for a measured amount of grains, and so on)

3361- It is narrated on the authority of Ibn Umar that The Messenger of Allah "Allah's blessing and peace be upon him" forbade selling fresh dates for dry dates by weight, selling fresh grapes for raisins by weight, and selling the crops (in the land) for wheat by weight.

[ت16/م16] ـ باب في الرخصة في ذلك

3357 ـ حدّثنا حَفْصُ بنُ عُمَرَ: حدَّثنا حَمَّادُ بنُ سَلَمَةَ، عن مُحَمَّدِ بنِ إِسْحَاقَ، عنْ يَزِيدَ بنِ أَبِي حَبِيبٍ، عن مُسْلِمِ بنِ جُبَيْرٍ، عن أَبي سُفْيَانَ، عَنْ عَمْرِو بنِ حَرِيشٍ، عنْ عَبْدِ اللَّهِ بنِ عَمْرٍو: «أَنَّ رَسُولَ اللَّهِ ﷺ أَمَرَهُ أَنْ يُجَهِّزَ جَيْشًا فَنَفِدَتِ الإِبِلُ فَأَمَرَهُ أَنْ يَأْخُذَ فِي قِلَاصِ الصَّدَقَةِ فَكَانَ يَأْخُذُ الْبَعِيرَ بِالْبَعِيرَيْنِ إِلَى إِبِلِ الصَّدَقَةِ».

[ت17/م17] ـ باب في ذلك إذا كان يدًا بيد

3358 ـ حدّثنا يَزِيدُ بنُ خَالِدٍ الْهَمْدَانِيُّ وَقُتَيْبَةُ بنُ سَعِيدٍ الثَّقَفِيُّ أَنَّ اللَّيْثَ حَدَّثَهُمْ عنْ أَبِي الزُّبَيْرِ عنْ جَابِرٍ: أَنَّ النَّبِيَّ ﷺ اشْتَرَى عَبْدًا بِعَبْدَيْنِ.

[ت18/م18] ـ باب في التمر بالتمر

3359 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عنْ مَالِكٍ، عَنْ عَبْدِ اللَّهِ بنِ يَزِيدَ أَنَّ زَيْدًا أَبَا عَيَّاشٍ أَخْبَرَهُ أَنَّهُ سَأَلَ سَعْدَ بنَ أَبِي وَقَّاصٍ عنِ الْبَيْضَاءِ بِالسُّلْتِ، فَقَالَ لَهُ سَعْدٌ: أَيُّهُمَا أَفْضَلُ؟ قالَ: الْبَيْضَاءُ قالَ: فَنَهَاهُ عَنْ ذَلِكَ وَقَال: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يُسْأَلُ عنْ شِرَاءِ التَّمْرِ بِالرُّطَبِ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**أَيَنْقُصُ الرُّطَبُ إِذَا يَبِسَ؟**» قالُوا: نَعَمْ فَنَهَاهُ رَسُولُ اللَّهِ ﷺ عَنْ ذَلِكَ.

قال أَبُو دَاوُدَ: رَوَاهُ إِسْمَاعِيلُ بنُ أُمَيَّةَ نَحْوَ مَالِكٍ.

3360 ـ حدّثنا الرَّبِيعُ بنُ نَافِعٍ أَبُو تَوْبَةَ: حدَّثنا مُعَاوِيَةُ ـ يَعْنِي ابنَ سَلَّامٍ ـ، عَنْ يَحْيَى بنِ أَبِي كَثِيرٍ: أَخبرنا عَبْدُ اللَّهِ أَنَّ أَبَا عَيَّاشٍ أَخْبَرَهُ أَنَّهُ سَمِعَ سَعْدَ بنَ أَبِي وَقَّاصٍ يَقُولُ: «نَهَى رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ الرُّطَبِ بِالتَّمْرِ نَسِيئَةً».

قال أَبُو دَاوُدَ: رَوَاهُ عِمْرَانُ بنُ أَبِي أَنَسٍ عَنْ مَوْلًى لِبَنِي مَخْزُومٍ عن سَعْدٍ عن النَّبِيِّ ﷺ نَحْوَهُ.

[ت19/م000] ـ باب في المزابنة

3361 ـ حدّثنا أَبُو بَكْرِ بنُ أَبِي شَيْبَةَ: حدَّثنا ابنُ أَبِي زَائِدَةَ، عنْ عُبَيْدِ اللَّهِ، عَنْ نَافِعٍ، عن ابنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: «أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ الثَّمَرِ بِالتَّمْرِ كَيْلاً، وَعَنْ بَيْعِ الْعِنَبِ بِالزَّبِيبِ كَيْلاً، وَعَنْ بَيْعِ الزَّرْعِ بِالْحِنْطَةِ كَيْلاً».

[20] What About Selling The Fruits Of The Date-Palms Assigned To The Indigent

3362- It is narrated on the authority of Zaid Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" gave permission to sell the (fruits of the) date-palms (assigned to the poor and indigent after guessing their fruits) for (measured amount of) dry or fresh dates.

3363- It is narrated on the authority of Sahl Ibn Abu Hathmah that The Messenger of Allah "Allah's blessing and peace be upon him" forbade selling the fresh dates for dry dates, But he permitted selling the fresh fruits of date-palm trees (deprived of prohibition as being assigned to the indigent and needy people) in case they were taken by one's family, in order to eat fresh fruits instead of dry dates according to measure.

[21] How Much Might A Date-Palm Assigned To The Indigent Be

3364- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" gave concession to sell the date-palm assigned to the indigent whose fruits might be no more than five Wasaqs. Abu Dawud says: The narration of Jabir makes it no more than four Wasaqs.

[22] What Are The Date-Palms Assigned To The Indigent

3365- It is narrated on the authority of Ibn Abd Rabbih Ibn Sa'id that he said: The concept of the date-palm assigned to the indigent refers to one or two date-palms granted by a man to another, as being taken out of his (the former's) property, in order that the latter might get benefit from its (fruits or price), thereupon he comes to sell its fruits for (a measure amount of) dates (and make use of it).

3366- It is narrated on the authority of Ibn Ishaq that he said: The concept of the date-palm assigned to the indigent indicates that a man grants, out of his property, some date-palms to another, and he (the latter) finds it difficult upon himself to look after them, thereupon he comes to sell them, after guessing their fruits, for a measured amount of fruits of the same kind.

[23] What About Selling The Fruits Before Their Benefit Seems Evident

3367- It is narrated on the authority of Abdullah Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" forbade

[ت20/م19] ـ باب في بيع العرايا

3362 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ: أَخبرني يُونُسُ، عن ابنِ شِهَابٍ: أَخبرني خَارِجَةُ بنُ زَيْدِ بنِ ثَابِتٍ، عن أَبِيهِ: «أَنَّ النَّبيَّ ﷺ رَخَّصَ في بَيْعِ الْعَرَايَا بالتَّمْرِ وَالرُّطَبِ».

3363 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا ابنُ عُيَيْنَةَ، عنْ يَحْيى بنِ سَعِيدٍ، عَنْ بَشيرِ بنِ يَسَارٍ، عنْ سَهْلِ بنِ أَبِي حَثْمَةَ: «أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ بَيْعِ الثَّمَرِ بالتَّمْرِ وَرَخَّصَ فِي الْعَرَايَا أَنْ تُبَاعَ بِخَرْصِهَا يَأْكُلُهَا أَهْلُهَا رُطَبًا».

[ت21/م20] ـ باب في مقدار العريَّة

3364 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ: حدَّثنا مَالِكٌ، عَنْ دَاوُدَ، عن الْحُصَيْنِ، عَنْ مَوْلَى ابنِ أَبِي أَحْمَدَ.

قال أَبُو دَاوُدَ: وَقَالَ لَنَا الْقَعْنَبِيُّ فِيمَا قَرَأَ عَلَى مَالِكٍ عن أَبِي سُفْيَانَ.

قال أَبُو دَاوُدَ: وَاسْمُهُ قُزْمَانُ مَوْلَى ابْنِ أَبِي أَحْمَدَ عن أَبِي هُرَيْرَةَ: «أَنَّ رَسُولَ اللَّهِ ﷺ رَخَّصَ فِي بَيْعِ الْعَرَايَا فِيمَا دُونَ خَمْسَةِ أَوْسُقٍ أَوْ فِي خَمْسَةِ أَوْسُقٍ» شَكَّ دَاوُدُ بنُ الْحُصَيْنِ.

قال أَبُو دَاوُدَ: حَدِيثُ جَابِرٍ إِلَى أَرْبَعَةِ أَوْسُقٍ.

[ت22/م21] ـ باب في تفسير العرايا

3365 ـ حدّثنا أَحْمَدُ بنُ سَعِيدٍ الْهَمْدَانِيُّ: حدَّثنا ابنُ وَهْبٍ: أَخبرني عَمْرُو بنُ الْحَارِثِ، عن عَبْدِ رَبِّهِ بنِ سَعِيدٍ الأَنْصَارِيِّ أَنَّهُ قَالَ: «الْعَرِيَّةُ الرَّجُلُ يُعْرِي الرَّجُلَ النَّخْلَةَ، أَوِ الرَّجُلُ يَسْتَثْنِي مِنْ مَالِهِ النَّخْلَةَ وَالاثْنَيْنِ يَأْكُلُهَا فَيَبِيعُهَا بِتَمْرٍ».

3366 ـ حدّثنا هَنَّادُ بنُ السَّرِيِّ، عَنْ عَبْدَةَ، عن ابنِ إِسْحَاقَ قالَ: «الْعَرَايَا أَنْ يَهَبَ الرَّجُلُ لِلرَّجُلِ النَّخلاَتِ فَيَشُقُّ عَلَيْهِ أَنْ يَقُومَ عَلَيْهَا فَيَبِيعُهَا بِمِثْلِ خَرْصِهَا».

[ت23/م22] ـ باب في بيع الثمار قبل أن يبدو صلاحها

3367 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ الْقَعْنَبِيُّ، عَنْ مَالِكٍ، عن نَافِعٍ، عن عَبْدِ اللَّهِ بنِ عُمَرَ «أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عن بَيْعِ الثِّمَارِ حَتَّى يَبْدُوَ صَلاَحُهَا،

selling the fruits until their benefit have seemed evident; and this forbiddance was intended for both the seller and the buyer.

3368- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade selling the date fruits till they have become ripe (i.e. till they have become red and yellow and could be eaten), and (he forbade selling) the wheat ears till they have become white and safe from blight. He forbade both of the seller and the purchaser (such a transaction).

3369- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling (any items of the) booty until it have been distributed (among the fighters), selling the date-palms until they have become safe from the blights, and he further forbade a man to offer prayer without a belt.

3370- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade selling the fruit until it has ripened. He was asked: "What is the portent of its ripeness?" he said: "It means until it has become red and yellow, and ready for being eaten."

3371- It is narrated on the authority of Anas that the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling grapes until they have blackened (portending ripeness), and selling the grains until they would have become full-grown.

3372- It is narrated on the authority of Yunus that he said: I asked Abu Az-Zinad about the forbiddance of selling the fruits before their benefit have become evident, and what has been said in that respect, and he said: Urwah Ibn Az-Zubair related from Sahl Ibn Abu Hathmah from Zaid Ibn Thabit that he said: The people used to sell and buy the fruits before their benefit have become evident, and when it was time for them to pluck the fruits, and they did, and they came to take their rights, the buyer might say: "The fruits and date-palms have been befallen by such and such blights." Or "The fruits of the date-palms have decreased before being plucked." Or: "the fruits have been blighted." Such were blights with which they used to argue each other before the Messenger of Allah "Allah's blessing and peace be upon him". When their disputes grew more before the Messenger of Allah "Allah's blessing and peace be upon him", the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, do not sell the fruits until their benefit have seemed evident." He said so on account of their more disputes and differences.

نَهى الْبَائِعَ وَالْمُشْتَرِيَ».

3368 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ: حدَّثنا ابنُ عُلَيَّةَ، عن أَيُّوبَ، عن نَافِعٍ، عن ابنِ عُمَرَ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهى عَنْ بَيْعِ النَّخْلِ حَتَّى يَزْهُوَ وَعَنْ السُّنْبُلِ حَتَّى يَبْيَضَّ وَيَأْمَنَ الْعَاهَةَ، نَهى الْبَائِعَ وَالْمُشْتَرِيَ.

3369 ـ حدّثنا حَفْصُ بنُ عُمَرَ النَّمَرِيُّ: حدَّثنا شُعْبَةُ، عن يَزِيدَ بنِ خُمَيْرٍ، عن مَوْلَى لِقُرَيْشٍ، عن أَبِي هُرَيْرَةَ قالَ: «نَهى رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ الْغَنَائِمِ حَتَّى تُقْسَمَ، وَعَنْ بَيْعِ النَّخْلِ حَتَّى تُحْرَزَ مِنْ كُلِّ عَارِضٍ وَأَنْ يُصَلِّيَ الرَّجُلُ بِغَيْرِ حِزَامٍ».

3370 ـ حدّثنا أَبُو بَكْرٍ مُحَمَّدُ بنُ خَلاَّدٍ الْبَاهِلِيُّ: حدَّثنا يَحْيَى بنُ سَعِيدٍ، عن سُلَيْم بنِ حَيَّانٍ، قال: أخبرنا سَعِيدُ بنُ مِينَاءَ قال: سَمِعْتُ جَابِرَ بنَ عَبْدِ اللَّهِ يَقُولُ: نَهى رَسُولُ اللَّهِ ﷺ أَنْ تُبَاعَ التَّمْرَةُ حَتَّى تُشْقِحَ، قِيلَ: وَمَا تُشْقِحُ؟ قالَ: «**تَحْمَارُّ وَتَصْفَارُّ وَيُؤْكَلُ مِنْهَا**».

3371 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا أَبُو الْوَلِيدِ، عن حَمَّادِ بنِ سَلَمَةَ، عن حُمَيْدٍ، عن أَنَسٍ: أَنَّ النَّبِيَّ ﷺ نَهى عَنْ بَيْعِ الْعِنَبِ حَتَّى يَسْوَدَّ، وَعَنْ بَيْعِ الْحَبِّ حَتَّى يَشْتَدَّ.

3372 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا عَنْبَسَةُ بنُ خَالِدٍ: حَدَّثَنِي يُونُسُ قالَ: سَأَلْتُ أَبَا الزِّنَادِ عن بَيْعِ الثَّمَرِ قَبلَ أَنْ يَبْدُوَ صَلاَحُهُ وَمَا ذُكِرَ فِي ذَلِكَ، فَقَالَ: كَانَ عُرْوَةُ بنُ الزُّبَيْرِ يُحَدِّثُ عن سَهْلِ بنِ أَبِي حَثْمَةَ، عن زَيْدِ بنِ ثَابِتٍ قال: كَانَ النَّاسُ يَتَبَايَعُونَ الثِّمَارَ قَبْلَ أَنْ يَبْدُو صَلاَحُهَا، فَإِذَا جَدَّ النَّاسُ وَحَضَرَ تَقَاضِيهِمْ قَالَ الْمُبْتَاعُ: قَدْ أَصَابَ الثَّمَرَ الدُّمَانُ، وَأَصَابَهُ قُشَامٌ، وَأَصَابَهُ مُرَاضٌ، عَاهَاتٌ يَحْتَجُّونَ بِهَا، فَلَمَّا كَثُرَتْ خُصُومَتُهُمْ عِنْدَ النَّبِيِّ ﷺ قَالَ رَسُولُ اللَّهِ ﷺ، كَالْمَشُورَةِ يُشِيرُ بِهَا: «**فَإِمَّا لاَ فَلاَ تَتَبَايَعُوا الثَّمَرَةَ حَتَّى يَبْدُو صَلاَحُهَا**» لِكَثْرَةِ خُصُومَتِهِمْ وَاخْتِلاَفِهِمْ.

3373- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling the fruits until their benefit would become evident; and no fruits should be sold but for (money such as) Dinars and Dirhams, barring the fruits of the date-palms granted to the indigent.

[24] Selling (The Crops And Fruits Of The Coming) Years

3374- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling (the fruits of trees of date-palms of the coming) years, and also the blighted fruits. (The forbiddance depends upon the fact that in this case, one sells something which has no actual existence once he contracts for the transaction; and thus, it is of those things, whose nature is unknown)

Abu Dawud says: No correct narration is related from the Messenger of Allah "Allah's blessing and peace be upon him" concerning the one-third in that respect.

3375- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling (the fruits of trees of date-palms of the coming) years.

[25] What About Selling Things Whose Nature Is Unknown

3376- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade selling things whose nature is unknown; and also the selling by way of throwing pebbles.

3377- It is narrated on the authority of Abu Sa'id Al-Khudri that the Messenger of Allah "Allah's blessing and peace be upon him" forbade two (ways of) transactions, and two (ways of) dresses: He forbade the transactions by way of touching and the transactions by way of throwing. As to The two ways of dresses they are to cover one's shoulder with one's garment, and leave the other bare; and to wrap oneself with a garment while one is sitting in such a way that nothing of that garment would cover one's private parts. (as to the transactions by way of touching, the buyer just touches the garment he wants to buy at night or by daytime, and that touch would oblige him to buy it. As to the transactions by way of throwing, one man throws his garment at another and the latter throws his at the former and the barter is complete and valid without examining the two objects or being satisfied with them)

3378- The same is narrated on the authority of Abu Sa'id Al-Khudri from the Messenger of Allah "Allah's blessing and peace be upon him",

3373 ـ حدّثنا ابنُ إِسْمَاعِيلَ الطَّالْقَانِيُّ: حَدَّثنا سُفْيَانُ، عن ابنِ جُرَيْجٍ، عن عَطَاءٍ، عن جَابِرٍ: أَنَّ النَّبِيَّ ﷺ نَهى عَنْ بَيْعِ الثَّمرِ حَتَّى يَبْدُو صَلاَحُهُ، وَلاَ يُبَاعُ إِلاَّ بِالدَّنَانِيرِ أَوْ بِالدَّرَاهِمِ إِلاَّ الْعَرَايَا.

[ت24/م23] ـ باب في بيع السنين

3374 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ وَيَحْيَى بنُ مَعِينٍ قَالاَ: حدَّثنا سُفْيَانُ، عن حُمَيْدٍ الأَعْرَجِ، عن سُلَيْمَانَ بنِ عَتِيقٍ، عن جَابِرِ بنِ عَبْدِ اللَّهِ: أَنَّ النَّبِيَّ ﷺ نَهى عَنْ بَيْعِ السِّنِينَ وَوَضَعَ الْجَوَائِحَ.

قال أَبُو دَاوُدَ: لَمْ يَصُحَّ عن النَّبِيِّ ﷺ فِي الثُّلُثِ شَيْءٌ، وَهُوَ رَأْيُ أَهْلِ الْمَدِينَةِ.

3375 ـ حدّثنا مُسَدَّدٌ: حدَّثنا حَمَّادٌ، عن أَيُّوبَ، عن أَبي الزُّبَيْرِ وَسَعِيدِ بنِ مِينَاءَ، عن جَابِرِ بنِ عَبْدِ اللَّهِ: أَنَّ النَّبِيَّ ﷺ نَهى عَنِ الْمُعَاوَمَةِ، وَقَالَ أَحَدُهُمَا: بَيْعِ السِّنِينَ.

[ت25/م24] ـ باب في بيع الغرر

3376 ـ حدّثنا أَبُو بَكْرٍ وَعُثْمَانُ ابْنَا أَبِي شَيْبَةَ قالاَ: حدَّثنا ابنُ إِدْرِيسَ، عن عُبَيْدِ اللَّهِ بنِ أَبِي زِيَادٍ، عن أَبي الزِّنَادِ، عن الأَعْرَجِ، عن أَبي هُرَيْرَةَ: أَنَّ النَّبِيَّ ﷺ نَهى عن بَيْعِ الْغَرَرِ. زَادَ عُثْمَانُ: وَالْحَصَاةِ.

3377 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ وَأَحْمَدُ بنُ عَمْرِو بنِ السَّرْحِ وَهَذَا لَفْظُهُ قالاَ: أخبرنا سُفْيَانُ، عن الزُّهْرِيِّ، عن عَطَاءِ بنِ يَزِيدَ اللَّيْثِيِّ، عن أَبي سَعِيدٍ الْخُدْرِيِّ: أَنَّ النَّبِيَّ ﷺ نَهى عَنْ بَيْعَتَيْنِ وَعَنْ لِبْسَتَيْنِ، أَمَّا الْبَيْعَتَانِ فَالْمُلاَمَسَةُ وَالْمُنَابَذَةُ، وَأَمَّا اللِّبْسَتَانِ فَاشْتِمَالُ الصَّمَّاءِ وَأَنْ يَحْتَبِيَ الرَّجُلُ فِي ثَوْبٍ وَاحِدٍ كَاشِفًا عَنْ فَرْجِهِ أَوْ لَيْسَ عَلَى فَرْجِهِ مِنْهُ شَيْءٌ.

3378 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا عَبْدُ الرَّزَّاقِ، أَنْبأَنا مَعْمَرٌ، عن الزُّهْرِيِّ، عن عَطَاءِ بنِ يَزِيدَ اللَّيْثِيِّ، عن أَبي سَعِيدٍ الْخُدْرِيِّ عَنِ النَّبِيِّ ﷺ بِهَذَا

with the following addition: "One of the two forbidden ways of dresses is to place both ends of one's garment upon the left shoulder, and leave the other naked. As to the transaction by way of throwing, it is that the seller says: "Once you touch this garment, the transaction will have become binding." As to the transaction by way of touching, it is just to touch the garment with his hand, without spreading or turning it in order to examine it, and once he touches it, the transaction will have become binding."

3379- The same is narrated on the authority of Abu Sa'id Al-Khudri from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

3380- It is narrated on the authority of Ibn Umar that the Prophet "Allah's blessing and peace be upon him" had forbidden the selling of beasts offspring (which was a kind of sale practiced in the Pre-Islamic Period of ignorance. One would pay the price of a she-camel which was not born yet and that which would be born by the immediate offspring of an extant she-camel).

3381- The same is narrated on the authority of Ibn Umar, through another chain of transmitters and said (in interpretation of that): It applies to the would-be offspring of the female animal, which the current she-animal is going to give birth.

[26] The Transaction Of Such As Forced By Necessity

3382- It is narrated on the authority of Ali that he said: A time will come upon the people, of which niggardliness is characteristic to the extent that the wealthy among the people will have grasp over what is in his possession, even though he has not been commanded to do so. Allah Almighty says in this respect: "And do not forget generosity among yourselves", and they would be so much evil that they would bargain with everyone in need or forced by necessity (so as to sell his things as cheap as it could be)." Indeed, the Messenger of Allah "Allah's blessing and peace be upon him" forbade one to haggle such as forced by necessity, or in debt (in such a way as to force him to sell his things as cheap as it could be). He also forbade selling things whose nature is uncertain and selling the fruits before their benefit would seem evident.

[27] What About Partnership

3383- It is narrated on the authority of Abu Hurairah that he said, tracing it to the Messenger of Allah "Allah's blessing and peace be upon him": Allah Almighty says: "I'm the third of every two partners, as long as none

الْحَدِيثِ، زَادَ: وَاشْتِمَالُ الصَّمَّاءِ أَنْ يَشْتَمِلَ فِي ثَوْبٍ وَاحِدٍ، يَضَعُ طَرَفَي الثَّوْبِ عَلَى عَاتِقِهِ الأَيْسَرِ وَيُبْرِزُ شِقَّهُ الأَيْمَنَ، وَالْمُنَابَذَةُ أَنْ يَقُولَ: إِذَا نَبَذْتُ إِلَيْكَ هَذَا الثَّوْبَ فَقَدْ وَجَبَ الْبَيْعُ، وَالْمُلاَمَسَةُ أَنْ يَمَسَّهُ بِيَدِهِ وَلاَ يَنْشُرُهُ وَلاَ يُقَلِّبُهُ، فَإِذَا مَسَّهُ وَجَبَ الْبَيْعُ.

3379 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا عَنْبَسَةُ بنُ خَالِدٍ: حدَّثنا يُونُسُ، عن ابنِ شِهَابٍ قالَ: أخبرَنِي عَامِرُ بنُ سَعْدِ بنِ أَبِي وَقَّاصٍ أَنَّ أَبَا سَعِيدٍ الْخُدْرِيَّ قال: نَهَى رَسُولُ اللَّهِ ﷺ بِمَعْنَى حَدِيثِ سُفْيَانَ وَعَبْدِ الرَّزَّاقِ جَمِيعًا.

3380 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عن نَافِعٍ، عن عَبْدِ اللَّهِ بنِ عُمَرَ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ بَيْعِ حَبَلِ الْحَبَلَةِ.

3381 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا يَحْيَى، عن عُبَيْدِ اللَّهِ، عن نَافِعٍ، عن ابنِ عُمَرَ، عن النَّبِيِّ ﷺ نَحْوَهُ وقال: حَبَلُ الْحَبَلَةِ: أَنْ تُنْتَجَ النَّاقَةُ بَطْنَهَا ثُمَّ تَحْمِلُ الَّتِي نُتِجَتْ.

[ت26/م25] ـ باب في بيع المُضْطَرِّ

3382 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى: حدَّثنا هُشَيْمٌ: أَنْبَأَنَا صَالِحُ بنُ عَامِرٍ، قالَ أَبُو دَاوُدَ: كَذَا قَالَ مُحَمَّدٌ، قالَ: أخبرنا شَيْخٌ مِنْ بَنِي تَمِيمٍ قال: خَطَبَنَا عَلِيُّ بنُ أَبِي طَالِبٍ، أَوْ قَالَ قالَ عَلِيٌّ، قالَ ابنُ عِيسَى هَكَذَا حدثنا هُشَيْمٌ قال: سَيَأْتِي عَلَى النَّاسِ زَمَانٌ عَضُوضٌ يَعَضُّ الْمُوسِرُ عَلَى مَا فِي يَدَيْهِ وَلَمْ يُؤْمَرْ بِذَلِكَ، قال اللَّهُ تَعَالَى: ﴿وَلَا تَنسَوُا۟ ٱلْفَضْلَ بَيْنَكُمْ﴾ [البقرة: 237] وَيُبَايِعُ الْمُضْطَرُّونَ، وَقَدْ نَهَى النَّبِيُّ ﷺ عَنْ بَيْعِ الْمُضْطَرِّ وَبَيْعِ الْغَرَرِ وَبَيْعِ الثَّمَرَةِ قَبْلَ أَنْ تُدْرِكَ.

[ت27/م26] ـ باب في الشركة

3383 ـ حدّثنا مُحَمَّدُ بنُ سُلَيْمَانَ الْمِصِّيصِيُّ: حدَّثنا مُحَمَّدُ بنُ الزِّبْرِقَانَ، عن أَبِي حَيَّانَ التَّيْمِيِّ، عن أَبِيهِ، عن أَبِي هُرَيْرَةَ رَفَعَهُ قال: «**إِنَّ اللَّهَ تَعَالَى يَقُولُ: أَنَا ثَالِثُ**

of them betrays the other; and once anyone of them betrays the other, I leave them."

[28] What About Speculation

3384- It is narrated on the authority of Urwah Al-Bariqi that the Messenger of Allah "Allah's blessing and peace be upon him" gave him a Dinar to buy a goat for him; and he bought two (instead of one), and sold one of them for a Dinar; and thus he brought to the Messenger of Allah "Allah's blessing and peace be upon him" a goat and a Dinar. On that the Messenger of Allah "Allah's blessing and peace be upon him" invoked for (Allah's) Blessing upon him. Consequently, whenever he bought (anything, say) dust, he would make profit (from it).

3385- The same is narrated on the authority of Urwah Al-Bariqi, through another chain of transmitters.

3386- It is narrated on the authority of Hakim Ibn Hizam that the Messenger of Allah "Allah's blessing and peace be upon him" gave him a Dinar to buy a sacrificial animal for him; and he bought one and then sold it by two Dinars. He returned once again and bought another one, and thus he brought to the Messenger of Allah "Allah's blessing and peace be upon him" a sacrificial animal and a Dinar. On that the Messenger of Allah "Allah's blessing and peace be upon him" gave it (the gained Dinar) in charity, and invoked for (Allah's) Blessing in his trade.

[29] When One Invests The Property Of Another Without His Leave

3387- It is narrated on the authority of Salim Ibn Abdullah Ibn Umar from his father that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "If anyone of you could be like the one of the millet Faraq, let him be so (as much as is within his capacity)." They said: "Who is the millet Faraq?" he said: "While three persons were walking, rain began to fall and they had to enter a cave in a mountain. A big rock rolled over and blocked the mouth of the cave. They said to each other: Invoke Allah with the best deed you have performed (so Allah might remove the rock)... Then the third man said: "O Allah! No doubt You know that once I employed a worker for one Faraq (three Sa's) of millet, and when it was evening and I wanted to pay him, he refused to take it and went away, so I sowed it and from its yield I bought cows and a shepherd. After a time that man came and demanded his money. I said to him: "Go to those cows and the shepherd and take them for they are for you. He went and drove them ahead of him."

الشَّرِيكَيْنِ مَا لَمْ يَخُنْ أَحَدُهُمَا صَاحِبَهُ، فَإِذَا خَانَهُ خَرَجْتُ مِنْ بَيْنِهِمَا».

[ت28/م27] ـ باب في المضارب يخالف

3384 ـ حدّثنا مُسَدَّدٌ: حدَّثنا سُفْيَانُ، عن شَبِيبِ بنِ غَرْقَدَةَ قالَ: حَدَّثَنِي الْحَيُّ، عن عُرْوَةَ ـ يَعْنِي ابنَ الْبَارِقِيَّ ـ قال: أَعْطَاهُ النَّبِيُّ ﷺ دِينارًا يَشْتَرِي بِهِ أُضْحِيَةً أَوْ شَاةً، فَاشْتَرَى شَاتَيْنِ فَبَاعَ إِحْدَاهُمَا بِدِينَارٍ فَأَتَاهُ بِشَاةٍ وَدِينَارٍ، فَدَعَا لَهُ بِالْبَرَكَةِ فِي بَيْعِهِ، فَكَانَ لَوِ اشْتَرَى تُرَابًا لَرَبِحَ فِيهِ.

3385 ـ حدّثنا الْحَسَنُ بنُ الصَّبَّاحِ: حدَّثنا أَبُو الْمُنْذِرِ: حدَّثنا سَعِيدُ بنُ زَيْدٍ ـ هُوَ أَخُو حَمَّادِ بنِ زَيْدٍ ـ: أخبرنا الزُّبَيْرُ بنُ الْخِرِّيتِ، عن أَبِي لَبِيدٍ: حَدَّثَنِي عُرْوَةُ الْبَارِقِيُّ بِهَذَا الْخَبَرِ وَلَفْظُهُ مُخْتَلِفٌ.

3386 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ الْعَبْدِيُّ: أخبرنا سُفْيَانُ: حَدَّثَنِي أَبُو حُصَيْنٍ، عن شَيْخٍ مِنْ أَهْلِ الْمَدِينَةِ، عن حَكِيمِ بنِ حِزَامٍ: أَنَّ رَسُولَ اللَّهِ ﷺ بَعَثَ مَعَهُ بِدينَارٍ يَشْتَرِي لَهُ أُضْحِيَةً فَاشْتَرَاهَا بِدِينَارٍ وَبَاعَهَا بِدِينَارَيْنِ، فَرَجَعَ فَاشْتَرَى لَهُ أُضْحِيَةً بِدِينَارٍ وَجَاءَ بِدِينَارٍ إِلَى النَّبِيِّ ﷺ، فَتَصَدَّقَ بِهِ النَّبِيُّ ﷺ، وَدَعَا لَهُ أَنْ يُبَارَكَ لَهُ فِي تِجَارَتِهِ.

[ت29/م28] ـ باب في الرجل يتَّجر في مال الرجل بغير إذنه

3387 ـ حدّثنا مُحَمَّدُ بنُ الْعَلَاءِ: حدَّثنا أَبُو أُسَامَةَ: حدثنا عُمَرُ بنُ حَمْزَةَ: أخبرنا سَالِمُ بنُ عَبْدِ اللَّهِ، عن أَبِيهِ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنِ اسْتَطَاعَ مِنْكُمْ أَنْ يَكُونَ مِثْلَ صَاحِبِ فَرَقِ الأَرُزِّ فَلْيَكُنْ مِثْلَهُ**». قَالُوا: وَمَنْ صَاحِبُ فَرَقِ الأَرُزِّ يَا رَسُولَ اللَّهِ؟ فَذَكَرَ حَدِيثَ الْغَارِ حِينَ سَقَطَ عَلَيْهِمُ الْجَبَلُ، فَقَالَ كُلُّ وَاحِدٍ مِنْهُمْ: اذْكُرُوا أَحْسَنَ عَمَلِكُمْ قالَ: وَقَالَ الثَّالِثُ: «**اللَّهُمَّ إِنَّكَ تَعْلَمُ أَنِّي اسْتَأْجَرْتُ أَجِيرًا بِفَرَقِ أَرُزٍّ، فَلَمَّا أَمْسَيْتُ عَرَضْتُ عَلَيْهِ حَقَّهُ فَأَبَى أَنْ يَأْخُذَهُ وَذَهَبَ فَثَمَّرْتُهُ لَهُ حَتَّى جَمَعْتُ لَهُ بَقَرًا وَرِعَاءَهَا فَلَقِيَنِي، فَقَالَ: أَعْطِنِي حَقِّي، فَقُلْتُ: اذْهَبْ إِلَى تِلْكَ الْبَقَرِ وَرِعَائِهَا فَخُذْهَا، فَذَهَبَ فَاسْتَاقَهَا**».

[30] What About Installing Partnership With No Property?

3388- It is narrated on the authority of Abdullah that he said: I, Ammar and Sa'd entered into partnership over whatever booty we would get on the day of (the holy battle of) Badr. Sa'd got two captives, but both I and Ammar got nothing.

[31] What About Sharecropping

(to rent the field to be cultivated, on the condition of having one-fourth or one-third the yields)

3389- It is narrated on the authority of Ibn Umar that he said: We though there was no harm in sharecropping for a specific amount of the yield of the land until Rafi' Ibn Khadij told us that the Messenger of Allah "Allah's blessing and peace be upon him" had forbidden it. I made a mention of that to Tawus who said that Ibn Abbas narrated that The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is better for one to give his land to his brother gratis than to take (from him) a fixed rent on it."

3390- It is narrated on the authority of Urwah Ibn Az-Zubair that Zaid Ibn Thabit said: Might Allah forgive for Rafi' Ibn Khadij! I am more acquainted with the narration than him. Two persons from amongst the Ansar came to the Messenger of Allah "Allah's blessing and peace be upon him", and they were in dispute, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "If you will be in such a state (of dispute as far as sharecropping is concerned), then, then, do not rent farms (for a specific amount of its yield)."

3391- It is narrated on the authority of Sa'd that he said: We used to rent the land for getting whatever yields might be produced on the banks of the springs, in addition to the yields over which the water flowed. But the Messenger of Allah "Allah's blessing and peace be upon him" forbade us to do so, and rather commanded us to rent the land for gold or silver.

3392- It is narrated on the authority of Hanzalah Ibn Qais Al-Ansari that he said: I asked Rafi' Ibn Khadij about renting the land for gold or silver, thereupon he said: There is no harm in it. But during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", the people used to rent their farms for whatever yields might be produced over the banks of the springs, and the heads of the streams, and of course, some of that might be blighted, and some might remain evidently beneficial, and vice versa, and since the people knew no kind of renting other than that, the Messenger of Allah "Allah's blessing and peace be upon him" forbade it.

[ت30/م29] ـ باب في الشَّركة على غير رأس مال

3388 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ مُعَاذٍ: حدَّثنا يَحْيَى: حدَّثنا سُفْيَانُ، عن أَبي إِسْحَاقَ، عنْ أَبِي عُبَيْدَةَ، عنْ عَبْدِ اللَّهِ قالَ: اشْتَرَكْتُ أَنَا وَعَمَّارٌ وَسَعْدٌ فِيمَا نُصِيبُ يَوْمَ بَدْرٍ، قالَ: فَجَاءَ سَعْدٌ بِأَسِيرَيْنِ وَلَمْ أَجِيءْ أَنَا وَعَمَّارٌ بِشَيْءٍ.

[ت31/م30] ـ باب في المزارعة

3389 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُفْيَانُ، عنْ عَمْرِو بنِ دِينَارٍ قالَ: سَمِعْتُ ابنَ عُمَرَ يَقُولُ: مَا كُنَّا نَرَى بِالْمُزَارَعَةِ بَأْسًا حَتَّى سَمِعْتُ رَافِعَ بنَ خَدِيجٍ يَقُولُ: إِنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْهَا، فَذَكَرْتُهُ لِطَاوُسٍ فَقَالَ: قال لِي ابنُ عَبَّاسٍ: إِنَّ رَسُولَ اللَّهِ ﷺ لَمْ يَنْهَ عَنْهَا وَلَكِنْ قَالَ: «**لأَنْ يَمْنَحَ أَحَدُكُمْ أَرْضَهُ خَيْرٌ مِنْ أَنْ يَأْخُذَ عَلَيْهَا خَرَاجًا مَعْلُومًا**».

3390 ـ حدّثنا أَبُو بَكْرِ بنُ أَبي شَيْبَةَ: حدَّثنا ابنُ عُلَيَّةَ. (ح)، وحدَّثنا مُسَدَّدٌ: أخبرنا بِشْرٌ، المَعْنَى، عن عَبْدِ الرَّحْمَنِ بنِ إِسْحَاقَ، عن أَبي عُبَيْدَةَ بنِ مُحَمَّدِ بنِ عَمَّارٍ، عن الْوَلِيدِ بنِ أَبي الْوَلِيدِ، عن عُرْوَةَ بنِ الزُّبَيْرِ قال: قال زَيْدُ بنُ ثَابِتٍ: يَغْفِرُ اللَّه لِرَافِعِ بنِ خَدِيجٍ أَنَا وَالله أَعْلَمُ بالْحَدِيثِ مِنْهُ إِنَّمَا أَتَاهُ رَجُلاَنِ، قال مُسَدَّدٌ: مِنَ الأَنْصَارِ، ثُمَّ اتَّفَقَا: قَدِ اقْتَتَلاَ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**إِنْ كَانَ هَذَا شَأْنَكُمْ فَلاَ تُكْرُوا المَزَارِعَ**» زادَ مُسَدَّدٌ: فَسَمِعَ قَوْلَهُ: «**لاَ تُكْرُوا المَزَارِعَ**».

3391 ـ حدّثنا عُثْمَانُ بنُ أَبي شَيْبَةَ: حدَّثنا يَزِيدُ بنُ هَارُونَ: أخبرنا إِبْرَاهِيمُ بنُ سَعْدٍ، عن مُحَمَّدِ بنِ عِكْرِمَةَ بنِ عَبْدِ الرَّحْمَنِ بنِ الْحَارِثِ بنِ هِشَامٍ، عنْ مُحَمَّدِ بنِ عَبْدِ الرَّحْمَنِ بنِ أَبي لَبِيبَةَ، عنْ سَعِيدِ بنِ الْمُسَيَّبِ، عنْ سَعْدٍ قال: كُنَّا نُكْرِي الأَرْضَ بِمَا عَلَى السَّوَاقِي مِنَ الزَّرْعِ وَمَا سَعِدَ بِالْمَاءِ مِنْهَا، فَنَهَانَا رَسُولُ اللَّهِ ﷺ عَنْ ذَلِكَ، وَأَمَرَنَا أَنْ نُكْرِيَهَا بِذَهَبٍ أَوْ فِضَّةٍ.

3392 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ: أَخبرنا عِيسَى: أخبرنا الأَوْزَاعِيُّ. (ح)، وحدثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدثنا لَيْثٌ، كِلاَهُمَا عن رَبِيعَةَ بنِ أَبي عَبْدِ الرَّحْمَنِ، وَاللَّفْظُ لِلأَوْزَاعِيِّ قال: حَدَّثَنِي حَنْظَلَةُ بنُ قَيْسٍ الأَنْصَارِيُّ قال: «سَأَلْتُ رَافِعَ بنَ خَدِيجٍ عن كِرَاءِ الأَرْضِ بالذَّهَبِ وَالْوَرِقِ، فَقَالَ: لاَ بَأْسَ بِهَا إِنَّمَا كَانَ النَّاسُ يُؤَاجِرُونَ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ بِمَا عَلَى المَاذِيَانَاتِ وَأَقْبَالِ الْجَدَاوِلِ وَأَشْيَاءَ مِنَ الزَّرْعِ، فَيَهْلِكُ هَذَا وَيَسْلَمُ هَذَا، وَيَسْلَمُ هَذَا وَيَهْلِكُ هَذَا، وَلَمْ يَكُنْ لِلنَّاسِ كِرَاءٌ إِلاَّ هَذَا، فَلِذَلِكَ زَجَرَ

But to rent the land for a specific things (such as gold or silver) there is no harm in it.

3393- It is narrated on the authority of Hanzalah Ibn Qais Al-Ansari that he said: I asked Rafi' Ibn Khadij about renting the land and he said: "The Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land." I further asked: "Even if it is for gold or silver? He said: "As for (renting the land for) gold or silver, there is no harm in it."

[32] The Severe Prevention Of That

3394- It is narrated on the authority of Ibn Shihab: Salim Ibn Abdullah told me that Abdullah Ibn Umar used to rent his land, until he was informed that Rafi Ibn Khadij related from The Messenger of Allah "Allah's blessing and peace be upon him" that he forbade renting the land. Abdullah met him and asked: "O Ibn Khadij! What do you narrate from The Messenger of Allah "Allah's blessing and peace be upon him" as regards renting the land?" Rafi Ibn Khadij said to Abdullah: "I heard my two paternal uncles – and they had attended the holy battle of Badr- telling some of the family members that The Messenger of Allah "Allah's blessing and peace be upon him" had forbidden renting the land." Abdullah said: "No doubt, I learnt that the land used to be rented during the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him"." But, Abdullah feared that perhaps The Messenger of Allah "Allah's blessing and peace be upon him" might have issued a latest command (by which he forbade it), which he (Abdullah) did not know. So, he abandoned renting the land.

Abu Dawud says: The same is narrated on the authority of Nafi' from Rafi' Ibn Khadij, through many chains of transmitters, all of which affirm that he said: I heard that from the Messenger of Allah "Allah's blessing and peace be upon him".

3395- It is narrated on the authority of Rafi' Ibn Khadij that he said: During the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him", we used to rent the land for one-third or one-fourth (of its yield), or for a definite amount of food. One day, one of my paternal uncles came to us and said: "The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to do a thing, which was been of benefit for us, but the obedience of Allah and His Messenger is much more beneficial for us." We asked him: "What is that?" he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has (a piece of) land in his possession, let him cultivate it himself (if he so liked), or give it

عَنْهُ، فَأَمَّا شَيْءٌ مَضْمُون مَعْلُومٌ فَلاَ بَأْسَ بِهِ». قال أَبُو دَاوُدَ: وَحَدِيثُ إِبْرَاهِيمَ أَتَمُّ، وَقَالَ قُتَيْبَةُ: عَنْ حَنْظَلَةَ، عن رَافِعٍ.

قال أَبُو دَاوُدَ: رِوَايَةُ يَحْيَى بنِ سَعِيدٍ عن حَنْظَلَةَ نَحْوَهُ.

3393 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ، عن مَالِكٍ، عن رَبِيعَةَ بنِ أَبِي عَبْدِ الرَّحْمَنِ، عن حَنْظَلَةَ بنِ قَيْسٍ: أَنَّهُ سَأَلَ رَافِعَ بنَ خَدِيجٍ عن كِرَاءِ الأَرْضِ فقالَ: نَهَى رَسُولُ اللَّهِ ﷺ عن كِرَاءِ الأَرْضِ فَقُلْتُ: أَبِالذَّهَبِ وَالْوَرِقِ؟ فقال: أَمَّا بالذَّهَبِ وَالْوَرِقِ فَلاَ بَأْسَ بِهِ.

[ت32/م31] ـ باب في التشديد في ذلك

3394 ـ حدّثنا عَبْدُ المَلِكِ بنُ شُعَيْبِ بنِ اللَّيْثِ: حَدَّثَنِي أَبِي، عَنْ جَدِّي اللَّيْثُ، قالَ: حَدَّثَنِي عَقِيلٌ، عن ابنِ شِهَابٍ، قالَ: أخبرني سَالِمُ بنُ عَبْدِ اللَّهِ: أَنَّ ابنَ عُمَرَ كَانَ يُكْرِي أَرْضَهُ حَتَّى بَلَغَهُ أَنَّ رَافِعَ بنَ خَدِيجٍ الأَنْصَارِيَّ حَدَّثَ أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَنْهَى عَنْ كِرَاءِ الأَرْضِ، فَلَقِيَهُ عَبْدُ اللَّهِ فَقَالَ: يَا ابْنَ خَدِيجٍ مَاذَا تُحَدِّثُ عَنْ رَسُولِ اللَّهِ ﷺ فِي كِرَاءِ الأَرْضِ؟ فَقَالَ رَافِعٌ لِعَبْدِ اللَّهِ بنِ عُمَرَ: سَمِعْتُ عَمَّيَّ ـ وَكَانَا قَدْ شَهِدَا بَدْرًا ـ يُحَدِّثَانِ أَهْلَ الدَّارِ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ كِرَاءِ الأَرْضِ، قالَ عَبْدُ اللَّهِ: وَاللَّهِ لَقَدْ كُنْتُ أَعْلَمُ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ أَنَّ الأَرْضَ تُكْرَى، ثُمَّ خَشِيَ عَبْدُ اللَّهِ أَنْ يَكُونَ رَسُولُ اللَّهِ ﷺ أَحْدَثَ فِي ذَلِكَ شَيْئًا لَمْ يَكُنْ عَلِمَهُ فَتَرَكَ كِرَاءَ الأَرْضِ.

قال أَبُو دَاوُدَ: رَوَاهُ أَيُّوبُ وَعُبَيْدُ اللَّهِ وَكَثِيرُ بنُ فَرْقَدٍ وَمَالِكٌ، عن نَافِعٍ، عن رَافِعٍ، عن النَّبِيِّ ﷺ. وَرَوَاهُ الأَوْزَاعِيُّ، عن حَفْصِ بنِ عِنَانٍ الْحَنَفِيِّ، عَنْ نَافِعٍ، عن رَافِعٍ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ. قال أبو داود: وَكَذَلِكَ رَوَاهُ زَيْدُ بنُ أَبِي أُنَيسَةَ، عن الْحَكَمِ، عن نَافِعٍ، عن ابنِ عُمَرَ أَنَّهُ أَتَى رَافِعًا فَقَالَ: سَمِعْتَ رَسُولَ اللَّهِ ﷺ؟ قال: «نَعَمْ». وَكَذَا رَوَاهُ عِكْرِمَةُ بنُ عَمَّارٍ، عن أَبِي النَّجَاشِيِّ، عن رَافِعِ بنِ خَدِيجٍ قال: سَمِعْتُ النَّبِيَّ عليه الصلاة والسلام، وَرَوَاهُ الأَوْزَاعِيُّ، عن أَبِي النَّجَاشِيِّ، عن رَافِعِ بنِ خَدِيجٍ، عن عَمِّهِ ظُهَيْرِ بنِ رَافِعٍ، عن النَّبِيِّ ﷺ..

قال أَبُو دَاوُدَ: أَبُو النَّجَاشِيِّ عَطَاءُ بنُ صُهَيْبٍ.

3395 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ عُمَرَ بنِ مَيْسَرَةَ: حدَّثنا خَالِدُ بنُ الْحَارِثِ: حدَّثنا سَعِيدٌ، عن يَعْلَى بنِ حَكِيمٍ، عن سُلَيْمَانَ بنِ يَسَارٍ، أَنَّ رَافِعَ بنَ خَدِيجٍ قال: كُنَّا نُخَابِرُ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ فَذَكَرَ أَنَّ بَعْضَ عُمُومَتِهِ أَتَاهُ فقالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ أَمْرٍ كَانَ لَنَا نَافِعًا، وَطَوَاعِيَةُ اللَّهِ وَرَسُولِهِ أَنْفَعُ لَنَا وَأَنْفَعُ، قالَ: قُلْنَا: وَمَا ذَاكَ؟ قالَ قالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ كَانَتْ لَهُ أَرْضٌ فَلْيَزْرَعْهَا أَوْ فَلْيُزْرِعْهَا أَخَاهُ وَلاَ يُكَارِيهَا**

to his brother gratis to cultivate it, and let not him rent the land for one-third or one-fourth (of its yield), or for a definite amount of food."

3396- The same is narrated on the authority of Sulaiman Ibn Yasar, through the same chain of transmitters.

3397-It is narrated on the authority of Rafi' Ibn Khadij that he said: Abu Rafi' came from the Messenger of Allah "Allah's blessing and peace be upon him" and said: "The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to do a thing, which was been of benefit for us, but the obedience of Allah and His Messenger is much more beneficial for us. He forbade that anyone of us should cultivate but his own land, or a land granted to him gratis by another man.

3398-It is narrated on the authority of Usaid Ibn Zuhair, the nephew of Rafi' Ibn Khadij : Rafi' Ibn Khadij came to us and said: "Verily, the Messenger of Allah "Allah's blessing and peace be upon him" forbids you to do a thing, which is (a source) of benefit to you, even though the obedience of Allah Almighty and the Messenger of Allah "Allah's blessing and peace be upon him" is more beneficial to you: no doubt, the Messenger of Allah "Allah's blessing and peace be upon him" forbids you to rent your land in return for a specific share of its yield, and said: "He, who dispenses with his land, let him give it to his (Muslim) brother (to cultivate it) as gratis, or leave it (uncultivated)."

Abu Dawud says: The same is narrated on the authority of Shu'bah.

3399- It is narrated on the authority of Abu Ja'far Al-Khatmi that he said: My paternal uncle sent me in the company of a young man belonging to him to Sa'id Ibn Al-Musayyab, and when we met him we said: Tell us of a narration which we have been informed you are relating as far as sharecropping is concerned. He said: Ibn Umar, at first, thought there was no harm in it until he was informed of the narration of Rafi' Ibn Khadij concerning that. He went to him, and Rafi' told him that the Messenger of Allah "Allah's blessing and peace be upon him" went to the land of Banu Harithah and found the land of Zuhair, the landlord, well-cultivated, thereupon he said: "How good is the plant of Zuhair!" they said: "It is not the plant of Zuhair." He asked: "Is it not the land of Zuhair?" they said: "Yes, but the plant belongs to so and so (who cultivated the land)." On that he said: "Then, take your plant and restore the agricultural cost to him." Rafi' added: Then, we took our plant and restored the agricultural cost to him. Sa'id said: Based on that, give your uncultivated land to your brother

بِثُلُثٍ وَلاَ بِرُبُعٍ وَلاَ بِطَعَامٍ مُسَمًّى».

3396 ـ حدّثنا مُحَمَّدُ بنُ عُبَيْدٍ: حدَّثنا حَمَّادُ بنُ زَيْدٍ، عن أَيُّوبَ قالَ: كَتَبَ إِلَيَّ يَعْلَى بنُ حَكِيمٍ أَنِّي سَمِعْتُ سُلَيْمَانَ بنَ يَسَارٍ، بِمَعْنَى إِسْنَادِ عُبَيْدِ اللَّهِ وَحَدِيثِهِ.

3397 ـ حدّثنا أَبُو بَكْرِ بنُ أَبِي شَيْبَةَ: حدَّثنا وَكِيعٌ: حدثنا عُمَرُ بنُ ذَرٍّ، عن مُجَاهِدٍ، عن ابنِ رَافِعِ بنِ خَدِيجٍ، عن أَبِيهِ قال: جَاءَنَا أَبُو رَافِعٍ مِنْ عِنْدِ رَسُولِ اللَّهِ ﷺ فَقَالَ: نَهَانَا رَسُولُ اللَّهِ ﷺ عَنْ أَمْرٍ كَانَ يَرْفَقُ بِنَا، وَطَاعَةُ اللَّهِ وَطَاعَةُ رَسُولِهِ أَرْفَقُ بِنَا، نَهَانَا أَنْ يَزْرَعَ أَحَدُنَا إِلاَّ أَرْضًا يَمْلِكُ رَقَبَتَهَا أَوْ مَنِيحَةً يَمْنَحُهَا رَجُلٌ».

3398 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: حدَّثنا سُفْيَانُ، عن مُنْصُورٍ، عن مُجَاهِدٍ أَنَّ أُسَيْدَ بنَ ظُهَيْرٍ قال: جَاءَنَا رَافِعُ بنُ خَدِيجٍ فقالَ: إِنَّ رَسُولَ اللَّهِ ﷺ يَنْهَاكُمْ عَنْ أَمْرٍ كَانَ لَكُمْ نَافِعًا، وَطَاعَةُ اللَّهِ وَطَاعَةُ رَسُولِ اللَّهِ ﷺ أَنْفَعُ لَكُمْ، إِنَّ رَسُولَ اللَّهِ ﷺ يَنْهَاكُمْ عَنِ الْحَقْلِ وَقَالَ: «**مَنِ اسْتَغْنَى عَنْ أَرْضِهِ فَلْيَمْنَحْهَا أَخَاهُ أَوْ لِيَدَعْ**».

قال أَبُو دَاوُدَ: وَهَكَذَا رَوَاهُ شُعْبَةُ وَمُفَضَّلُ بنُ مُهَلْهِلٍ عَنْ مَنْصُورٍ.

قالَ شُعْبَةُ: أُسَيْدُ ابنُ أَخِي رَافِعِ بنِ خَدِيجٍ.

3399 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ: حدَّثنا يَحْيَى: حدَّثنا أَبُو جَعْفَرٍ الْخَطْمِيُّ قالَ: بَعَثَنِي عَمِّي أَنَا وَغُلاَمًا لَهُ إِلَى سَعِيدِ بنِ الْمُسَيَّبِ قالَ: فَقُلْنَا لَهُ: شَيْءٌ بَلَغَنَا عَنْكَ فِي الْمُزَارَعَةِ، قال: كَانَ ابنُ عُمَرَ لاَ يَرَى بِهَا بَأْسًا حَتَّى بَلَغَهُ عن رَافِعِ بنِ خَدِيجٍ حَدِيثٌ، فَأَتَاهُ فَأَخْبَرَهُ رَافِعٌ أَنَّ رَسُولَ اللَّهِ ﷺ أَتَى بَنِي حَارِثَةَ فَرَأَى زَرْعًا فِي أَرْضِ ظُهَيْرٍ، فَقَالَ: «**مَا أَحْسَنَ زَرْعَ ظُهَيْرٍ**»، قَالُوا: لَيْسَ لِظُهَيْرٍ، قالَ: «**أَلَيْسَ أَرْضَ ظُهَيْرٍ؟**» قَالُوا: بَلَى وَلَكِنَّهُ زَرْعُ فُلاَنٍ، قالَ: «**فَخُذُوا زَرْعَكُمْ وَرُدُّوا عَلَيْهِ النَّفَقَةَ**»، قالَ رَافِعٌ: فَأَخَذْنَا زَرْعَنَا وَرَدَدْنَا إِلَيْهِ النَّفَقَةَ، قال سَعِيدٌ: أَفْقِرْ أَخَاكَ، أَوْ أَكْرِهِ بالدَّرَاهِمِ.

gratis in order to cultivate it (if you so like), or hire him for charge (to do the job on your behalf).

3400- It is narrated on the authority of Rafi' Ibn Khadij that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Muhaqalah (renting the field in return for a measured amount of the yield), and Muzabanah (selling fresh fruits on the trees for a measured amount of fruits of the same kind), and he said: "Three (types of people are permitted to) cultivate (their land): a man who has a (piece of) land in his possession, which he cultivates by himself; a man who is granted a (piece of) land, and he cultivates whatever gift he is given; and a man who takes on lease a (piece of) land, which he cultivates in return for (coins of) gold and silver."

3401- It is narrated on the authority of Uthman Ibn Sahl Ibn Rafi' Ibn Khadij that he said: I was an orphan living under the guardianship of Rafi' Ibn Khadij when Imran Ibn Sahl came to him and said: "We've rented the land of so and so for two hundred Dirhams." On that he said: "Leave that, since the Messenger of Allah "Allah's blessing and peace be upon him" forbade renting the land."

3402- It is narrated on the authority of Rafi' Ibn Khadij that once he cultivated the land (of another one), and when the Messenger of Allah "Allah's blessing and peace be upon him" came upon him he was watering the land, thereupon he asked him: "Whose is the plant, and whose is the land?" he said: "It is my plant resulting from my sowing the land, and I have half the yield in return for my work in it, and so and so (the landlord) has the other half." on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, both you have devoured usury: restore the land to him, and take the expenses you have spent on it."

[33] What About Cultivating The Land Without The Leave Of Its Lord

3403- It is narrated on the authority of Rafi' Ibn Khadij that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who cultivates the land of a people without their leave, will have no claim over anything of the plants, and he has only the expenses he has spent on it."

[34] What About Mukhabarah

(cultivating the land for a specific share of its yield)

3404- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade

3400 ـ حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو الأَحْوَصِ: حدَّثنا طَارِقُ بنُ عَبْدِ الرَّحْمَنِ، عن سَعِيدِ بنِ المُسَيَّبِ، عن رَافِعِ بنِ خَدِيجٍ قال: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ المُحَاقَلَةِ وَالمُزَابَنَةِ وَقَالَ: «**إِنَّمَا يَزْرَعُ ثَلاثَةٌ: رَجُلٌ لَهُ أَرْضٌ فَهُوَ يَزْرَعُهَا، وَرَجُلٌ مُنِحَ أَرْضًا فَهُوَ يَزْرَعُ مَا مُنِحَ، وَرَجُلٌ اسْتَكْرَى أَرْضًا بِذَهَبٍ أَوْ فِضَّةٍ**».

3401 ـ قَالَ أَبُو دَاوُدَ قَرَأْتُ عَلَى سَعِيدِ بنِ يَعْقُوبَ الطَّالَقَانِيِّ، قُلْتُ لَهُ: حَدَّثَكُمُ ابنُ المُبَارَكِ عن سَعِيدٍ أَبِي شُجَاعٍ قال: حَدَّثَنِي عُثْمَانُ بنُ سَهْلِ بنِ رَافِعَ بنِ خَدِيجٍ قال: إِنِّي لَيَتِيمٌ فِي حِجْرِ رَافِعِ بنِ خَدِيجٍ وَحَجَجْتُ مَعَهُ فَجَاءَهُ أَخِي عِمْرَانُ بنُ سَهْلٍ فَقَالَ: أَكْرَيْنَا أَرْضَنَا فُلاَنَةَ بِمِائَتَي دِرْهَمٍ، فَقَالَ: دَعْهُ فَإِنَّ النَّبِيَّ ﷺ نَهَى عَنْ كِرَاءِ الأَرْضِ.

3402 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ: حدَّثنا الْفَضْلُ بنُ دُكَيْنٍ: حدَّثنا بُكَيْرٌ ـ يَعْنِي ابنَ عَامِرٍ ـ، عن ابنِ أَبِي نُعْمٍ قال: حَدَّثَنِي رَافِعُ بنُ خَدِيجٍ أَنَّهُ زَرَعَ أَرْضًا فَمَرَّ بِهِ النَّبِيُّ ﷺ وَهُوَ يَسْقِيهَا فَسَأَلَهُ: «**لِمَنِ الزَّرْعُ وَلِمَنِ الأَرْضُ؟**» فَقَالَ: زَرْعِي بِبَذْرِي وَعَمَلِي لِيَ الشَّطْرُ وَلِبَنِي فُلاَنٍ الشَّطْرُ، فَقَالَ: «**أَرْبَيْتُمَا، فَرُدَّ الأَرْضَ عَلَى أَهْلِهَا وَخُذْ نَفَقَتَكَ**».

[ت33/م32] ـ باب في زرع الأرض بغير إذن صاحبها

3403 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا شَرِيكٌ، عن أَبِي إِسْحَاقَ، عن عَطَاءٍ، عن رَافِعِ بنِ خَدِيجٍ قال: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ زَرَعَ فِي أَرْضِ قَوْمٍ بِغَيْرِ إِذْنِهِمْ فَلَيْسَ لَهُ مِنَ الزَّرْعِ شَيْءٌ وَلَهُ نَفَقَتُهُ**».

[ت34/م33] ـ باب في المخابرة

3404 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا إِسْمَاعِيلُ. (ح)، وحدَّثنا مُسَدَّدٌ أَنَّ حَمَّادًا وَعَبْدَ الْوَارِثِ حَدَّثَاهُمْ كُلُّهُمْ، عن أَيُّوبَ، عن أَبِي الزُّبَيْرِ قال: عَنْ حَمَّادٍ وَسَعِيدِ بنِ مِينَاءَ ثُمَّ اتَّفَقُوا: عن جَابِرِ بنِ عَبْدِ اللَّهِ قال: نَهَى رَسُولُ اللَّهِ ﷺ

selling standing crops for measured grains (Muhaqalah), selling fresh fruits for dry fruits (of the same kind with measure which leads to disputes among the people as being based upon dangers and mistakes, known as Muzabanah), renting the land for a definite share of its yield (Mukhabarah), selling the fruits of the coming years, selling the fruits until their benefit has become evident, (affirming that) they should not be sold but by Dinar and Dirham (i.e. money) except for the fresh fruits on the trees (whose selling is deprived of prohibition as being granted to poor and needy people).

3405- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" forbade Muhaqalah, Muzabanah, Mukhabarah, and purchasing date-palm trees until (their fruits) have become ripe, i.e. until they have become red or yellow and fit for eating.

3406- It is narrated on the authority of Jabir Ibn Abdullah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who does not leave Mukhabarah (renting the land for a definite share of its yield), let him then take notice of war from Allah and His Messenger."

3407- It is narrated on the authority of Zaid Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade Mukhabarah. I asked him: What is Mukhabarah? He said: It is to take the field (and cultivate it) for half, one-third or one-fourth of its yield.

[35] Sharecropping

3408- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" gave the Jews of Khaibar the land to cultivate (and look after) on the condition that they should have half the yields of crops and fruits.

3409- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" gave the Jews of Khaibar the gardens of date-palms and the farms to cultivate and look after on their expense, on the condition that the Messenger of Allah "Allah's blessing and peace be upon him" (and the Muslims) should have half the yields of the fruits.

3410- It is narrated on the authority of Ibn Abbas that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" conquered Khaibar, and he stipulated the condition that he (and the Muslims) should have the whole land and (property containing of) yellow and white (i.e. both gold and silver). The inhabitants of Khaibar (from amongst the Jews) said: "We are more experienced in (cultivating) the land than you: so, give

عَنِ الْمُحَاقَلَةِ وَالْمُزَابَنَةِ وَالْمُخَابَرَةِ وَالْمُعَاوَمَةِ، قال عن حَمَّادٍ وَقَالَ أَحَدُهُمَا: وَالْمُعَاوَمَةِ، وَقَالَ الآخَرُ: بَيْعِ السِّنِينَ، ثُمَّ اتَّفَقُوا، وَعَنِ الثُّنْيَا، وَرَخَّصَ فِي الْعَرَايَا.

3405 ـ حدّثنا عُمَرُ بنُ يَزِيدَ السَّيَّارِيُّ أَبُو حَفْصٍ: حدَّثنا عَبَّادُ بنُ الْعَوَّامِ، عن سُفْيَانَ بنِ حُسَيْنٍ، عن يُونُسَ بنِ عُبَيْدٍ، عن عَطَاءٍ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قال: «نَهَى رَسُولُ اللَّهِ ﷺ عن الْمُزَابَنَةِ وَعَنْ الْمُحَاقَلَةِ وَعَنِ الثُّنْيَا إِلاَّ أَنْ تُعْلَمَ».

3406 ـ حدّثنا يَحْيَى بنُ مَعِينٍ: حدَّثنا ابنُ رَجَاءٍ ـ يَعْنِي الْمَكِّيُّ ـ قال ابنُ خُثَيْمٍ: حَدَّثَنِي عن أَبِي الزُّبَيْرِ، عن جَابِرِ بنِ عَبْدِ اللَّهِ: قال: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«مَنْ لَمْ يَذَرِ الْمُخَابَرَةَ فَلْيُؤْذَنْ بِحَرْبٍ مِنَ اللَّهِ وَرَسُولِهِ»**.

3407 ـ حدّثنا أَبُو بَكْرِ بنُ أَبِي شَيْبَةَ: حدَّثنا عُمَرُ بنُ أَيُّوبَ، عن جَعْفَرِ بنِ بُرْقَانَ، عن ثَابِتِ بنِ الْحَجَّاجِ، عن زَيْدِ بنِ ثَابِتٍ قال: نَهَى رَسُولُ اللَّهِ ﷺ عَنِ الْمُخَابَرَةِ. قُلْتُ: وَمَا الْمُخَابَرَةُ؟ قالَ: أَنْ تَأْخُذَ الأَرْضَ بِنِصْفٍ أَوْ ثُلُثٍ أَوْ رُبُعٍ.

[ت35/م34] ـ باب في المساقاة

3408 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدثنا يَحْيَى، عن عُبَيْدِ اللَّهِ، عن نَافِعٍ، عن ابنِ عُمَرَ: أَنَّ رَسُولَ اللَّهِ ﷺ عَامَلَ أَهْلَ خَيْبَرَ بِشَطْرِ مَا يَخْرُجُ مِنْ ثَمَرٍ أَوْ زَرْعٍ.

3409 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ، عن اللَّيْثِ، عن مُحَمَّدِ بنِ عَبْدِ الرَّحْمَنِ ـ يَعْنِي ابنَ غَنَجٍ ـ، عن نَافِعٍ، عن ابنِ عُمَرَ: أَنَّ النَّبِيَّ ﷺ دَفَعَ إِلَى يَهُودِ خَيْبَرَ نَخْلَ خَيْبَرَ وَأَرْضَهَا عَلَى أَنْ يَعْتَمِلُوهَا مِنْ أَمْوَالِهِمْ وَأَنَّ لِرَسُولِ اللَّهِ ﷺ شَطْرَ ثَمَرَتِهَا.

قال أبو دَاوُدَ: الذي تَفَرَّدَ قَوْلُهُ: «على أَنْ يَعْتَمِلُوهَا مِنْ أَمْوالِهِمْ».

3410 ـ حدّثنا أَيُّوبُ بنُ مُحَمَّدٍ الرَّقِّيُّ: حدَّثنا عُمَرُ بنُ أَيُّوبَ: حدَّثنا جَعْفَرُ بنُ بُرْقَانَ، عن مَيْمُونِ بنِ مِهْرَانَ، عن مِقْسَمٍ، عن ابنِ عَبَّاسٍ قال: افْتَتَحَ رَسُولُ اللَّهِ ﷺ خَيْبَرَ وَاشْتَرَطَ أَنَّ لَهُ الأَرْضَ وَكُلَّ صَفْرَاءَ وَبَيْضَاءَ. قالَ أَهْلُ خَيْبَرَ: نَحْنُ أَعْلَمُ بالأَرْضِ مِنْكُمْ فَأَعْطِنَاها عَلَى أَنَّ لَكُمْ نِصْفَ الثَّمَرَةِ وَلَنَا نِصْفٌ، فَزَعَمَ

it to cultivate it, on the condition that you should have half the fruits, and we the other half." He pretended that he gave it to them on that condition. When it was (a short time before) the dates would be plucked, he sent Abdullah Ibn Rawahah, who guessed (the amount of) the date-palms, i.e. estimated them according to the dialect of the inhabitants of Medina. He said: "They are such and such (in number)." They said: "You've put (the number you guessed of) it so much more upon us O Ibn Rawahah!" he said: "I guess the (number of the) date-palms, and give you half of what I've said." They said: "This is then the truth, upon which both the heaven and the earth stand. We've been satisfied to depend upon what you've said."

3411- The same is narrated on the authority of Ja'far Ibn Barqan through the same chain of transmitters, and with a slight variation of wording.

3412- It is narrated on the authority of Miqsam that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" conquered Khaibar...and the rest is the same.

[36] What About Guessing (The Fruits On The Trees)

3413- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" used to send Abdullah Ibn Rawahah to guess the (amount of the fruits of the) date-palms when they have become ripe, but before their being plucked, and give the Jews the freedom of choice: either to take first (their portion, i.e. half the fruits) depending upon his guessing, or give (half the date-palms) to them (i.e. the Muslims) in accordance with that guessing, so that the obligatory charity might be accounted (according to the portion of the Muslims) and distributed before the fruits have been eaten.

3414- It is narrated on the authority of Jabir that he said: Allah Almighty endowed His Messenger with (the property and land of) Khaibar, and the Messenger of Allah "Allah's blessing and peace be upon him" left them (the Jews) in the land (to cultivate and look after it) on the condition that the yield should be divided into two halves between him and them. The Messenger of Allah "Allah's blessing and peace be upon him" sent Abdullah Ibn Rawahah to guess the (fruits of the) date-palms.

3415- It is narrated on the authority of Jabir that he said: Abdullah Ibn Rawahah guessed the fruits of the date-palms as forty thousand Wasaqs, and they took as their portion twenty thousand Wasaqs according to his guessing.

أَنَّهُ أَعْطَاهُمْ عَلَى ذَلِكَ، فَلَمَّا كَانَ حِينَ يُصْرَمُ النَّخْلُ بَعَثَ إِلَيْهِمْ عَبْدَ اللَّهِ بنَ رَوَاحَةَ فَحَزَرَ عَلَيْهِمُ النَّخْلَ وَهُوَ الَّذِي يُسَمِّيهِ أَهْلُ الْمَدِينَةِ الْخَرْصَ، فَقَالَ: فِي ذِهْ كَذَا وَكَذَا، قَالُوا: أَكْثَرْتَ عَلَيْنَا يَا ابْنَ رَوَاحَةَ، قالَ: فَأَنَا أَلِي جَزْرَ النَّخْلِ وَأُعْطِيكُمْ نِصْفَ الَّذِي قُلْتُ، قَالُوا: هَذَا الْحَقُّ وَبِهِ تَقُومُ السَّمَاءُ وَالأَرْضُ قَدْ رَضِينَا أَنْ نَأْخُذَهُ بِالَّذِي قُلْتَ.

3411 ـ حدّثنا عَلِيُّ بنُ سَهْلٍ الرَّمْلِيُّ: حدَّثنا زَيْدُ بنُ أَبِي الزَّرْقَاءِ، عَنْ جَعْفَرِ بنِ بُرْقَانَ بِإِسْنَادِهِ وَمَعْنَاهُ، قالَ فَحَزَرَ وَقَالَ عِنْدَ قَوْلِهِ: «**وَكُلَّ صَفْرَاءَ وَبَيْضَاءَ**»؛ يَعْنِي الذَّهَبَ وَالْفِضَّةَ لَهُ.

3412 ـ حدّثنا مُحَمَّدُ بنُ سُلَيْمَانَ الأَنْبَارِيُّ: حدَّثنا كَثِيرٌ ـ يَعْنِي ابنَ هِشَامٍ ـ، عن جَعْفَرِ بنِ بُرْقَانَ: حدَّثنا مَيْمُونٌ، عَنْ مِقْسَمٍ أَنَّ النَّبِيَّ ﷺ حِينَ افْتَتَحَ خَيْبَرَ فَذَكَرَ نَحْوَ حَدِيثِ زَيْدٍ قال: فَحَزَرَ النَّخْلَ وَقَالَ: فَأَنَا أَلِي جُزاز النَّخْلِ وَأُعْطِيكُمْ نِصْفَ الَّذِي قُلْتُ. أَوْ قالَ: «حِرَازَ النَّخلِ».

[ت36/م35] ـ باب في الخرص

3413 ـ حدّثنا يَحْيَى بنُ مَعِينٍ: حدَّثنا حَجَّاجٌ، عَنْ ابنِ جُرَيْجٍ قال: أُخْبِرْتُ عن ابنِ شِهَابٍ، عن عُرْوَةَ، عن عَائِشَةَ قَالَتْ: كَانَ النَّبِيُّ ﷺ يَبْعَثُ عَبْدَ اللَّهِ بنَ رَوَاحَةَ فَيَخْرُصُ النَّخْلَ حِينَ يَطِيبُ قَبْلَ أَنْ يُؤْكَلَ مِنْهُ، ثُمَّ يُخَيِّرُ الْيَهُودَ يَأْخُذُونَهُ بِذَلِكَ الْخِرْصِ أَوْ يَدْفَعُونَهُ إِلَيْهِمْ بِذَلِكَ الْخَرْصِ لِكَيْ تُحْصَى الزَّكَاةُ قَبْلَ أَنْ تُؤْكَلَ الثِّمَارُ وَتُفَرَّقَ.

3414 ـ حدّثنا ابنُ أَبِي خَلَفٍ: حدَّثنا مُحَمَّدُ بنُ سَابِقٍ، عن إِبْرَاهِيمَ بنِ طَهْمَانَ، عن أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ أَنَّهُ قَالَ: «لَمَّا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ خَيْبَرَ فَأَقَرَّهُمْ رَسُولُ اللَّهِ ﷺ كَمَا كَانُوا وَجَعَلَهَا بَيْنَهُ وَبَيْنَهُمْ، فَبَعَثَ عَبْدَ اللَّهِ بنَ رَوَاحَةَ فَخَرَصَهَا عَلَيْهِمْ.

3415 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا عَبْدُ الرَّزَّاقِ وَمُحَمَّدُ بنُ بَكْرٍ قَالاَ: أخبرنا ابنُ جُرَيْجٍ، قالَ: أخبرني أَبُو الزُّبَيْرِ أَنَّهُ سَمِعَ جابِرَ بنَ عَبْدِ اللَّهِ يَقُولُ: خَرَصَهَا ابنُ رَوَاحَةَ أَرْبَعِينَ أَلْفَ وَسْقٍ وَزَعَمَ أَنَّ الْيَهُودَ لَمَّا خَيَّرَهُمُ ابنُ رَوَاحَةَ أَخَذُوا الثَّمَرَ وَعَلَيْهِمْ عِشْرُونَ أَلْفَ وَسْقٍ.

(...) The Book Of Hiring

[37] The Tutor's Earnings

3416- It is narrated on the authority of Ubadah Ibn As-Samit that he said: I instructed some people from those of Suffah in the Holy Qur'an and writing, and one of them presented to me a bow, thereupon I said: "It is not considered as money: let me (accept it and) shoot with the help of it (in fighting) in the Cause of Allah." But I sought the religious verdict of the Messenger of Allah "Allah's blessing and peace be upon him", to whom I went and said: "I instructed some people from those of Suffah in the Holy Qur'an and writing, and one of them presented to me a bow, thereupon I said: "It is not considered as money: let me (accept it and) shoot with the help of it (in fighting) in the Cause of Allah."" On that he said: "If you are pleased to have your neck encircled with it as a collar of fire (on the Day of Judgement), then, accept it."

3417- The same is narrated on the authority of Ubadah Ibn As-Samit, through another chain of transmitters, in which he said: I asked him: "What is your verdict pertaining to that O Messenger of Allah?" he said: "It is a piece of fire you are hanging between your shoulders."

[38] The Earnings Of The Physicians

3418- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: Some of the companions of The Prophet "Allah's blessing and peace be upon him" went on journey till they reached some of the Arab tribes (at night). They asked the latter to entertain them, but they refused. The chief of that tribe was then bitten by a snake (or stung by a scorpion) and they tried their best to cure him but in vain. Some of them said (to the others): "Nothing has benefited him, will you go to the people who resided here at night, perhaps some of them might have something (as treatment)." They went to the group of the companions (of The Prophet "Allah's blessing and peace be upon him") and said: "Our chief has been bitten by a snake (or stung by a scorpion) and we have tried everything but he has not benefited. Have you got anything (useful)?" One of them replied: "Yes, by Allah! I can recite a charm, but as you have refused to entertain us, I will not recite the charm for you unless you fix for us some wages for it." They agreed to pay them a flock of sheep. One of them then went and recited the Mother of the Book (The Surah of Al-Fatihah) while puffing over the chief who became all right as if he was released from a chain, and got up and started walking, showing no signs of sickness. They paid them what they agreed to pay. Some of them (The companions) then suggested distributing their

[...] كتاب الإجارة

[ت37/م36] ـ باب في كَسْب المعلِّم

3416 ـ حدّثنا أَبُو بَكْرِ بنُ أَبِي شَيْبَةَ: حدَّثنا وَكِيعٌ وَحُمَيْدُ بنُ عَبْدِ الرَّحْمَنِ الرُّؤَاسِيُّ، عن مُغِيرَةَ بنِ زِيَادٍ، عن عُبَادَةَ بنِ نُسَيٍّ، عن الأَسْوَدِ بنِ ثَعْلَبَةَ، عن عُبَادَةَ بنِ الصَّامِتِ قالَ: عَلَّمْتُ نَاسًا مِنْ أَهْلِ الصُّفَّةِ الْقُرْآنَ وَالْكِتَابَ فَأَهْدَى إِلَيَّ رَجُلٌ مِنْهُمْ قَوْسًا فَقُلْتُ: لَيْسَتْ بِمَالٍ وَأَرْمِي عَنْهَا فِي سَبِيلِ اللَّهِ عَزَّ وجَلَّ لآتِيَنَّ رَسُولَ اللَّهِ ﷺ فَلأَسْأَلَنَّهُ فَأَتَيْتُهُ فَقُلْتُ: يَا رَسُولَ اللَّهِ رَجُلٌ أَهْدَى إِلَيَّ قَوْسًا مِمَّنْ كُنْتُ أُعَلِّمُهُ الْكِتَابَ وَالْقُرْآنَ وَلَيْسَتْ بِمَالٍ وَأَرْمِي عَنْهَا فِي سَبِيلِ اللَّهِ تَعَالَى. قالَ: «**إِنْ كُنْتَ تُحِبُّ أَنْ تُطَوَّقَ طَوْقًا مِنْ نَارٍ فَاقْبَلْهَا**».

3417 ـ حدّثنا عَمْرُو بنُ عُثْمَانَ وَكَثِيرُ بنُ عُبَيْدٍ قالاَ: حدَّثنا بَقِيَّةُ: حَدَّثَنِي بِشْرُ بنُ عَبْدِ اللَّهِ بنِ يَسَارٍ، قالَ عَمْرُو: وَحَدَّثَنِي عُبَادَةُ بنُ نُسَيٍّ، عَنْ جُنَادَةَ بنِ أَبِي أُمَيَّةَ، عن عُبَادَةَ بنِ الصَّامِتِ نَحْوَ هَذَا الْخَبَرِ، وَالأَوَّلُ أَتَمُّ، فَقُلْتُ: مَا تَرَى فِيهَا يَا رَسُولَ اللَّهِ؟ فقالَ: «**جَمْرَةٌ بَيْنَ كَتِفَيْكَ تَقَلَّدْتَهَا**» أَوْ «**تَعَلَّقْتَهَا**».

[ت38/م37] ـ باب في كسب الأطبَّاء

3418 ـ حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو عَوَانَةَ، عن أَبِي بِشْرٍ، عن أَبِي الْمُتَوَكِّلِ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ: أَنَّ رَهْطًا مِنْ أَصْحَابِ النَّبِيِّ ﷺ انْطَلَقُوا فِي سَفْرَةٍ سَافَرُوهَا فَنَزَلُوا بِحَيٍّ مِنْ أَحْيَاءِ الْعَرَبِ، فَاسْتَضَافُوهُمْ فَأَبَوْا أَنْ يُضَيِّفُوهُمْ، قال: فَلُدِغَ سَيِّدُ ذَلِكَ الْحَيِّ، فَشَفَوْا لَهُ بِكُلِّ شَيْءٍ لاَ يَنْفَعُهُ شَيْءٌ، فَقَالَ بَعْضُهُمْ: لَوْ أَتَيْتُمْ هٰؤُلاَءِ الرَّهْطَ الَّذِينَ نَزَلُوا بِكُمْ لَعَلَّ أَنْ يَكُونَ عِنْدَ بَعْضِهِمْ شَيْءٌ يَنْفَعُ صَاحِبَكُمْ.

فَقَالَ بَعْضُهُمْ: أَيُّها الرَّهط، إِنَّ سَيِّدَنَا لُدِغَ فَشَفَيْنَا لَهُ بِكُلِّ شَيْءٍ فَلاَ يَنْفَعُهُ، فَهَلْ عِنْدَ أَحَدٍ مِنْكُمْ شَيْءٌ يَشْفِي صَاحِبَنَا ـ يَعْنِي رُقْيَةً ـ فَقَالَ رَجُلٌ مِنَ الْقَوْمِ: إِنِّي لأَرْقِي وَلَكِنِ اسْتَضَفْنَاكُمْ فَأَبَيْتُمْ أَنْ تُضَيِّفُونَا، مَا أَنَا بِرَاقٍ حَتَّى تَجْعَلُوا لِي جُعْلاً. فَجَعَلُوا لَهُ قَطِيعًا مِنَ الشَّاءِ، فَأَتَاهُ فَقَرَأَ عَلَيْهِ بِأُمِّ الْكِتَابِ وَيَتْفِلُ حَتَّى بَرِىءَ كَأَنَّمَا

earnings among themselves. But the one who performed the recitation said: "Do not divide them till we go to The Prophet "Allah's blessing and peace be upon him" and narrate the whole story to him, and wait for his order." So, they went to Allah's Apostle "Allah's blessing and peace be upon him" and narrated the story. Allah's Apostle "Allah's blessing and peace be upon him" asked: "How did you come to know that The Surah of Al-Fatihah was recited as charm?" Then he added: "You have done the right thing. Distribute (what you have earned) and assign a share for me."

3419- The same is narrated on the authority of Abu Sa'id Al-Khudri from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

3420- It sis narrated on the authority of Kharijah Ibn As-Salt from his paternal uncle that he came upon a people, who came to him and said: "You've come from this man (Muhammad, the Prophet) with good: so, would you please recite incantation for that man (who is ill among us)." They brought to him an unwise man bound in fetters, and he kept reciting as incantation the Mother of the Book every morning and evening for three days, and every time he ended it, he buffed over his body, thereupon the man recovered as if he was released from chains. They gave him something as remuneration, and he went to the Messenger of Allah "Allah's blessing and peace be upon him", and made a mention of that to him, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "By my life: (from amongst the people, there are) such as gains earnings out of a false incantation, and you've gained (your earnings) out of a true incantation."

[39] The Earnings Of The Cupper

3421- It is narrated on the authority of Rafi' Ibn Khadij that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, the cupper's fee is abominable; the dog's price is abominable; and the earnings of the prostitute is abominable."

3422- It is narrated on the authority of Muhaiyyisah that he asked the permission of the Messenger of Allah "Allah's blessing and peace be upon him" to accept the cupper's fee thereupon he forbade him to accept it; and he kept asking his permission for that until he said to him: "(If it is necessary for you to accept it) feed with it your camel used for carrying water, and your slaves."

3423- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" got himself

أُنْشِطَ مِنْ عِقَالٍ، قال: فَأَوْفَاهُمْ جُعْلَهُمُ الَّذِي صَالَحُوهُ عَلَيْهِ، فَقَالُوا: اقْتَسِمُوا فَقَالَ الَّذِي رَقَى: لاَ تَفْعَلُوا حَتَّى نَأْتِيَ رَسُولَ اللَّهِ ﷺ فَنَسْتَأْمِرَهُ، فَغَدَوْا عَلَى رَسُولِ اللَّهِ ﷺ، فَذَكَرُوا ذَلِكَ لَهُ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**مِنْ أَيْنَ عَلِمْتُمْ أَنَّهَا رُقْيَةٌ؟ أَحْسَنْتُمْ وَاضْرِبُوا لِي مَعَكُمْ بِسَهْمٍ**».

3419 - حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا يَزِيدُ بنُ هَارُونَ: أخبرنا هِشَامُ بنُ حَسَّانَ، عن مُحَمَّدِ بنِ سِيرِينَ، عن أَخِيهِ مَعْبَدِ بنِ سِيرِينَ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ، عن النَّبِيِّ ﷺ بِهَذَا الْحَدِيثِ.

3420 - حدّثنا عُبَيْدُ اللَّهِ بنُ مُعَاذٍ: حدَّثنا أَبِي: حدثنا شُعْبَةُ، عن عَبْدِ اللَّهِ بنِ أَبِي السَّفَرِ، عن الشَّعْبِيِّ، عن خَارِجَةَ بنِ الصَّلْتِ، عن عَمِّهِ: أنه مَرَّ بِقَوْمٍ فَأَتَوْهُ فَقَالُوا: إِنَّكَ جِئْتَ مِنْ عِنْدِ هَذَا الرَّجُلِ بِخَيْرٍ فَارْقِ لَنَا هَذَا الرَّجُلَ. فَأَتَوْهُ بِرَجُلٍ مَعْتُوهٍ فِي الْقُيُودِ، فَرَقَاهُ بِأُمِّ الْقُرْآنِ ثَلاَثَةَ أَيَّامٍ غُدْوَةً وَعَشِيَّةً، وَكُلَّمَا خَتَمَهَا جَمَعَ بُزَاقَهُ، ثُمَّ تَفَلَ، فَكَأَنَّمَا أُنْشِطَ مِنْ عِقَالٍ، فَأَعْطُوهُ شَيْئًا، فَأَتَى النَّبِيَّ ﷺ، فَذَكَرَهُ لَهُ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**كُلْ فَلَعَمْرِي لَمَنْ أَكَلَ بِرُقْيَةِ بَاطِلٍ، لَقَدْ أَكَلْتَ بِرُقْيَةِ حَقٍّ**».

[ت39/م38] - باب في كسب الحجَّام

3421 - حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا أَبَانُ، عن يَحْيَى، عن إِبْرَاهِيمَ بنِ عَبْدِ اللَّهِ - يَعْنِي ابنَ قَارِظٍ -، عن السَّائِبِ بنِ يَزِيدَ، عن رَافِعِ بنِ خَدِيجٍ أَنَّ رَسُولَ اللَّهِ ﷺ قال: «**كَسْبُ الْحَجَّامِ خَبِيثٌ، وَثَمَنُ الْكَلْبِ خَبِيثٌ، وَمَهْرُ الْبَغِيِّ خَبِيثٌ**».

3422 - حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ الْقَعْنَبِيُّ، عن مَالِكٍ، عن ابنِ شِهَابٍ، عن ابنِ مُحَيِّصَةَ، عن أَبِيهِ: أَنَّهُ اسْتَأْذَنَ رَسُولَ اللَّهِ ﷺ فِي إِجَارَةِ الْحَجَّامِ، فَنَهَاهُ عَنْهَا، فَلَمْ يَزَلْ يَسْأَلُهُ وَيَسْتَأْذِنُهُ حَتَّى أَمَرَهُ «**أَنِ اعْلِفْهُ نَاضِحَكَ وَرَقِيقَكَ**».

3423 - حدّثنا مُسَدَّدٌ: حدَّثنا يَزِيدُ - يَعْنِي ابنَ زُرَيْعٍ -: حدثنا خَالِدٌ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ قالَ: «احْتَجَمَ رَسُولُ اللَّهِ ﷺ وَأَعْطَى الْحَجَّامَ أَجْرَهُ، وَلَوْ

cupped, and he gave the cupper his charge; and had he known it was abominable, surely, he would not give it to him.

3424- It is narrated on the authority of Anas Ibn Malik that Abu Taibah cupped the Messenger of Allah "Allah's blessing and peace be upon him", who gave him a Sa' of foodstuff (as charge for that), and ordered his master to reduce the tax from him.

[40] The Earnings Of The Slave-Girls (From Prostitution)

3425- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade taking the earnings of the slave-girl (from prostitution).

3426- It is narrated on the authority of Tariq Ibn Abd Ar-Rahman Al-Qurashi that he said: Rafi' Ibn Rifa'ah came to a gathering of the Ansar and said: "Today, the Messenger of Allah "Allah's blessing and peace be upon him" forbade us many things..."and he made a mention of many things, and said: "And he forbade accepting the earnings of the slave-girl, unless it is from her handwork, (and he pointed with his fingers) such as baking, spinning and carding the wool, etc."

3427- It is narrated on the authority of Rafi' Ibn Khadij that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade accepting the earnings of the slave-girl until its source becomes certain (and whether it is or is not lawful).

[41] What About The Earnings Of The Soothsayer

3428- It is narrated on the authority of Abu Mas'ud Al-Ansari that the Messenger of Allah "Allah's blessing and peace be upon him" prohibited the price of a dog, the earnings of a prostitute, and the fee taken by a soothsayer.

[42] What About The (Charge Of The) Semen Of A Male Animal

3429- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade taking Charge for The Semen Of A Male Animal (used for copulation).

[43] What About The Goldsmith

3430- It is narrated on the authority of Abu Majidah that he said: I cut a portion of the ear of a young man, or he cut a portion of my ear, and then, Abu Bakr visited us on his way to perform Hajj, and we gathered to him (and complained to him), thereupon he turned our matter to Umar Ibn Al-Khattab, and Umar said: "The retaliation according to the law of equality

عَلِمَهُ خَبِيثًا لَمْ يُعْطِهِ».

3424 - حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن حُمَيْدٍ الطَّوِيلِ، عن أَنَسِ بن مَالِكٍ أَنَّهُ قالَ: «حَجَمَ أَبُو طَيْبَةَ رَسُولَ اللَّهِ ﷺ، فَأَمَرَ لَهُ بِصَاعٍ مِنْ تَمْرٍ، وَأَمَرَ أَهْلَهُ أَنْ يُخَفِّفُوا عَنْهُ مِنْ خَرَاجِهِ».

[ت40/م39] - باب في كسب الإماء

3425 - حدّثنا عُبَيْدُ اللَّهِ بنُ مُعَاذٍ: حدَّثنا أَبِي: حدثنا شُعْبَةُ عن مُحَمَّدِ بنِ جُحَادَةَ قالَ: سَمِعْتُ أَبَا حَازِمٍ سَمِعَ أَبَا هُرَيْرَةَ قال: «نَهَى رَسُولُ اللَّهِ ﷺ عَنْ كَسْبِ الإِمَاءِ».

3426 - حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ: حدَّثنا هَاشِمُ بنُ الْقَاسِمِ: حدَّثنا عِكْرِمَةُ: حَدَّثَنِي طَارِقُ بنُ عَبْدِ الرَّحْمَنِ الْقُرَشِيُّ قال: «جَاءَ رَافِعُ بنُ رِفَاعَةَ إِلَى مَجْلِسِ الأَنْصَارِ فقال: لَقَدْ نَهَانَا نَبِيُّ اللَّهِ ﷺ الْيَوْمَ فَذَكَرَ أَشْيَاءَ، وَنَهَى عَنْ كَسْبِ الأَمَةِ إِلاَّ مَا عَمِلَتْ بِيَدِهَا، وَقَالَ هَكَذَا بِأَصَابِعِهِ نَحْوَ الْخَبْزِ وَالْغَزْلِ وَالنَّفْشِ».

3427 - حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ أَبِي فُدَيْكٍ، عن عُبَيْدِ اللَّهِ - يَعْنِي ابنَ هُرَيْرٍ -، عن أَبِيهِ، عن جَدِّهِ رَافِعٍ - هُوَ ابنُ خَدِيجٍ - قال: «نَهَى رَسُولُ اللَّهِ ﷺ عَنْ كَسْبِ الأَمَةِ حَتَّى يُعْلَمَ مِنْ أَيْنَ هُوَ».

[ت41/م...] - باب في حُلْوَان الكاهن

3428 - حدّثنا قُتَيْبَةُ، عن سُفْيَانَ، عن الزُّهْرِيِّ، عن أَبي بَكْرِ بن عَبْدِ الرَّحْمَنِ، عن أَبي مَسْعُودٍ، عن النَّبِيِّ ﷺ: أَنَّهُ نَهَى عَنْ ثَمَنِ الْكَلْبِ، وَمَهْرِ البَغِيِّ، وَحُلْوَانِ الْكَاهِنِ.

[ت42/م40] - باب في عَسْب الفحل

3429 - حدّثنا مُسَدَّدُ بنُ مُسَرْهَدٍ: حدَّثنا إِسْمَاعِيلُ، عن عَلِيِّ بنِ الْحَكَمِ، عن نَافِعٍ، عن ابنِ عُمَرَ قال: «نَهَى رَسُولُ اللَّهِ ﷺ عَنْ عَسْبِ الْفَحْلِ».

[ت43/م41] - باب في الصائغ

3430 - حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادُ بنُ سَلَمَةَ: حدَّثنا مُحَمَّدُ بنُ إِسْحَاقَ، عن الْعَلاَءِ بنِ عَبْدِ الرَّحْمَنِ، عن أَبِي مَاجِدَةَ قال: قَطَعْتُ مِنْ أُذُنِ غُلاَمٍ، أَوْ قُطِعَ مِنْ أُذُنِي، فَقَدِمَ عَلَيْنَا أَبُو بَكْرٍ حَاجًّا، فَاجْتَمَعْنَا إِلَيْهِ فَرَفَعْنَا إِلَى عُمَرَ بنِ الْخَطَّابِ، فَقَالَ عُمَرُ: إِنَّ هَذَا قَدْ بَلَغَ الْقِصَاصَ ادْعُوا لِي حَجَّامًا لِيَقْتَصَّ مِنْهُ،

should be executed upon this. Invite a cupper of r me, to exact retribution from him." When the cupper was invited, he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: I've granted a boy to my paternal aunt, and I hoped she would be blessed in him, and I said to her: "Do not hand him over to a cupper, a goldsmith, or a butcher."

Abu Dawud says: The same is narrated on the authority of Ibn Majidah, a man belonging to Sahm from Umar Ibn Al-Khattab.

3431- The same is narrated on the authority of Ibn Majidah As-Sahmi from Umar Ibn Al-Khattab, from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

3432- It is narrated on the authority of Ibn Majidah As-Sahmi from Umar Ibn Al-Khattab that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said the same.

[44] When A Slave Is Sold, And He Has Property

3433- It is narrated on the authority of Salim from his father (Abdullah Ibn Umar) that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who sells a slave who has property, his property should be for the seller, unless the purchaser stipulates the condition that it should be for him (and the seller agrees); and he, who sells pollinated date-palms, the fruits should be for the seller, unless the purchaser stipulates the opposite to that (and the seller agrees)."

3434- The same news of the slave is narrated on the authority of Nafi' from Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

3434- The same news of the date-palms is narrated on the authority of Nafi' from Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

Abu Dawud says: Both Az-Zuhri and Nafi' differ about four narrations, and this is one of them.

3435- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who sells a slave who has property, his property should be for the seller, unless the purchaser stipulates the condition that it should be for him (and the seller agrees)."

فَلَمَّا دُعِيَ الْحَجَّامُ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِنِّي وَهَبْتُ لِخَالَتِي غُلاَمًا، وَأَنَا أَرْجُو أَنْ يُبَارَكَ لَهَا فِيهِ، فَقُلْتُ لَهَا: لاَ تُسَلِّمِيهِ حَجَّامًا وَلاَ صَائِغًا وَلاَ قَصَّابًا**».

قال أَبُو دَاوُدَ: رَوَى عَبْدُ الأَعْلَى، عن ابنِ إِسْحَاقَ، قالَ: ابنُ مَاجِدَةَ رَجُلٌ مِنْ بَنِي سَهْمٍ عن عُمَرَ بنِ الْخَطَّابِ.

3431 ـ حدّثنا يُوسُفُ بنُ مُوسَى: حدَّثنا سَلَمَةُ بنُ الْفَضْلِ: حدَّثنا ابنُ إِسْحَاقَ، عن الْعَلاَءِ بنِ عَبْدِ الرَّحْمَنِ الحُرَقِيِّ، عن ابنِ مَاجِدَةَ السَّهْمِيِّ، عن عُمَرَ بنِ الْخَطَّابِ، عن النَّبِيِّ ﷺ نَحْوَهُ.

3432 ـ حدّثنا الْفَضْلُ بنُ يَعْقُوبَ: حدَّثنا عَبْدُ الأَعْلَى، عن مُحَمَّدِ بنِ إِسْحَاقَ قال: حَدَّثَنِي الْعَلاَءُ بنُ عَبْدِ الرَّحْمَنِ الْحُرَقِيُّ، عن ابنِ مَاجِدَةَ السَّهْمِيِّ، عَنْ عُمَرَ بنِ الْخَطَّابِ قالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ بِمَعْنَاهُ.

[ت44/م42] ـ باب في العبد يباع وله مال

3433 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، عن سَالِمٍ، عن أَبِيهِ، عن النَّبِيِّ ﷺ قال: «**مَنْ بَاعَ عَبْدًا وَلَهُ مَالٌ فَمَالُهُ لِلْبَائِعِ إِلاَّ أَنْ يَشْتَرِطَهُ الْمُبْتَاعُ، وَمَنْ بَاعَ نَخْلاً مُؤَبَّرًا فالثَّمَرَةُ لِلْبَائِعِ إِلاَّ أَنْ يَشْتَرِطَ الْمُبْتَاعُ**».

3434 ـ حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن نَافِعٍ، عن ابنِ عُمَرَ، عن عُمَرَ، عن رَسُولِ اللَّهِ ﷺ بِقِصَّةِ الْعَبْدِ. وَعَنْ نَافِعٍ، عن ابنِ عُمَرَ عن النَّبِيِّ ﷺ بِقِصَّةِ النَّخْلِ.

قال أَبُو دَاوُدَ: وَاخْتَلَفَ الزُّهْرِيُّ وَنَافِعٌ فِي أَرْبَعَةِ أَحَادِيث هَذَا أَحَدُهَا.

3435 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن سُفْيَانَ: حدثَنِي سَلَمَةُ بنُ كُهَيْلٍ: حَدَّثَنِي مَنْ سَمِعَ جَابِرَ بنَ عَبْدِ اللَّهِ يَقُولُ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ بَاعَ عَبْدًا وَلَهُ مَالٌ فَمَالُهُ لِلْبَائِعِ، إِلاَّ أَنْ يَشْتَرِطَ الْمُبْتَاعُ**».

[45] What About Receiving The Commodities On The Way

3436- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not make transactions (with the purchasers) in opposition to each other, and do not receive the commodities (and sell them on the way) until they have been brought to the markets."

3437- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (the traders) to receive the imported goods on the way; and whoever receives and buys anything of it, then, its importer has the freedom of choice once he comes to the market (whether to take it back from the one who has bought it on the way, or leave it).

Abu Dawud says: As to the statement "Do not make transactions (with the purchasers) in opposition to each other" means that the seller says to the buyer: "I've the same but better than his, by a price of ten (Dirhams) lesser than his."

[46] Outbidding Is Forbidden

3438- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not enter into outbidding against each other."

[47] It Is Forbidden That A Town Dweller Should Sell On Behalf Of A Desert Dweller

3439- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade that a town dweller should sell on behalf of a desert dweller. I asked him: "What does that mean?" he said: "He should not act as a broker for him."

3440- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let no town dweller sell on behalf of a desert dweller, even though he is his brother or father."

Abu Dawud says: Anas Ibn Malik said: It was said: "Let no town dweller sell on behalf of a desert dweller", and it is a comprehensive statement, according to which he should neither sell nor purchase anything on his behalf.

3441- It is narrated on the authority of Salim Al-Makki that a Bedouin told him that he came with a vessel of milk and went direct to Talhah Ibn

[ت45/م43] ـ باب في التلقِّي

3436 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ الْقَعْنَبِيُّ، عن مَالِكٍ، عن نَافِعٍ، عن عَبْدِ اللَّهِ بنِ عُمَرَ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لاَ يَبِعْ بَعْضُكُمْ عَلَى بَيْعِ بَعْضٍ، وَلاَ تَلَقَّوُا السِّلَعَ حَتَّى يُهْبَطَ بِهَا الأَسْوَاقَ**».

3437 ـ حدّثنا الرَّبِيعُ بنُ نَافِعٍ أَبُو تَوْبَةَ: حدَّثنا عُبَيْدُ اللَّهِ ـ يَعْنِي ابنَ عَمْرٍو الرَّقِّيَّ ـ، عن أَيُّوبَ، عن ابنِ سِيرِينَ، عن أَبِي هُرَيْرَةَ: أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ تَلَقِّي الْجَلَبِ، فَإِنْ تَلَقَّاهُ مُتَلَقٍّ مُشْتَرٍ فَاشْتَرَاهُ فَصَاحِبُ السِّلْعَةِ بالخِيَارِ إِذَا وَرَدَتِ السُّوقَ.

قالَ أَبُو عَلِيٍّ: سَمِعْتُ أَبَا دَاوُدَ يَقُولُ: قَالَ سُفْيَانُ: لاَ يَبِعْ بَعْضُكُمْ عَلَى بَيْعِ بَعْضٍ أَنْ يَقُولَ إِنَّ عِنْدِي خَيْرًا مِنْهُ بِأَقَلَّ مِمَّا يُعطِيك بِعَشْرَةٍ.

[ت46/م44] ـ باب في النهي عن النجش

3438 ـ حدّثنا أَحْمَدُ بنُ عَمْرِو بنِ السَّرْحِ: حدَّثنا سُفْيَانُ، عَنْ الزُّهْرِيِّ، عن سَعِيدِ بنِ المُسَيَّبِ، عن أَبِي هُرَيْرَةَ قَالَ: قالَ النَّبِيُّ ﷺ: «**لاَ تَنَاجَشُوا**».

[ت47/م45] ـ باب في النهي أن يبيع حاضر لباد

3439 ـ حدّثنا مُحَمَّدُ بنُ عُبَيْدٍ: حدَّثنا مُحَمَّدُ بنُ ثَوْرٍ، عن مَعْمَرٍ، عن ابنِ طَاوُسٍ، عن أَبِيهِ، عن ابنِ عَبَّاسٍ قالَ: نَهَى رَسُولُ اللَّهِ ﷺ أَنْ يَبِيعَ حَاضِرٌ لِبَادٍ، فَقُلْتُ: مَا يَبِيعُ حَاضِرٌ لِبَادٍ قالَ: لاَ يَكُونُ لَهُ سِمْسَارًا.

3440 ـ حدّثنا زُهَيْرُ بنُ حَرْبٍ أَنَّ مُحَمَّدَ بنَ الزِّبْرِقَانِ أَبَا هَمَّامٍ، حَدَّثَهُمْ قالَ زُهَيْرٌ: وَكَانَ ثِقَةً، عنْ يُونُسَ، عن الْحَسَنِ، عن أَنَسِ بنِ مَالِكٍ أَنَّ النَّبِيَّ ﷺ قالَ: «**لاَ يَبِيعُ حَاضِرٌ لِبَادٍ وَإِنْ كَانَ أَخَاهُ أَوْ أَبَاهُ**».

قال أَبُو دَاوُدَ: سَمِعْتُ حَفْصَ بنَ عُمَرَ يَقُولُ: حدثنا أَبُو هِلاَلٍ: حدثنا مُحَمَّدٌ، عن أَنَسِ بنِ مَالِكٍ قالَ: كَانَ يُقَالُ: لاَ يَبِيعُ حَاضِرٌ لِبَادٍ، وَهِيَ كَلِمَةٌ جَامِعَةٌ لاَ يَبِيعُ لَهُ شَيْئًا وَلاَ يَبْتَاعُ لَهُ شَيْئًا.

3441 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن مُحَمَّدِ بنِ إِسْحَاقَ، عن سَالِمٍ المَكِّيِّ أَنَّ أَعْرَابِيًّا حَدَّثَهُ: «أَنَّهُ قَدِمَ بِحَلُوبَةٍ لَهُ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ فَنَزَلَ عَلَى طَلْحَةَ بنِ عُبَيْدِ اللَّهِ فَقَالَ: إِنَّ النَّبِيَّ ﷺ نَهَى أَنْ يَبِيعَ

Ubaidullah, who said to him: "No doubt, the Messenger of Allah "Allah's blessing and peace be upon him" forbade that a town dweller should sell anything on behalf of a desert dweller. But go to the market and see who might purchase from you, and consult me, in order to tell you whether (it is more fitting for you to complete or cancel the bargain)."

3442- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let no town dweller sell on behalf of a desert dweller, and rather, let the people (do by themselves, perchance) Allah would provide some of them with sustenance from (practicing transaction with) others."

[48] What About Buying A She-Camel Whose Udder Is Left Without Being Milked For A Long Time

3443- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not receive the riders (i.e. the importers of commodities on the way) to sell (their good before they are transferred to the markets), and do not make transactions (with the purchasers) in opposition to each other; and do not leave the female camels and sheep without milking for a long time, and he, who buys an animal which has not been milked for a long time, has (a three-day) freedom, after milking it, to choose to keep it if he is satisfied with it, or return it if he is dissatisfied with it and a Sa' of dates besides."

3444- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who buys an animal which has not been milked for a long time, has a three-day freedom to choose (to keep or return it); and in case he returns it (after milking it), he should return a Sa' of dates not wheat with it."

3445- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who buys a sheep which has not been milked for a long time, and he has milked it, he then has (a three-day freedom to choose) to keep it if he is satisfied with it, or return it if he is dissatisfied with it); and in this case a Sa' of dates should be given in recompense of milking it."

3446- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever buys a she-camel whose breast is full of milk (on account of being not milked for a long time) has a three-day freedom to choose (to keep or return it); and in case he returns it, he should return with it the like

حَاضِرٌ لِبَادٍ، وَلَكِنِ اذْهَبْ إِلَى السُّوقِ فَانْظُرْ مَنْ يُبَايِعُكَ فَشَاوِرْنِي حَتَّى آمُرَكَ وَأَنْهَاكَ».

3442 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ: حدثنا زُهَيْرٌ: حدثنا أَبُو الزُّبَيْرِ، عنْ جَابِرٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«لاَ يَبِعْ حَاضِرٌ لِبَادٍ، وَذَرُوا النَّاسَ يَرْزُقْ اللَّهُ بَعْضَهُمْ مِنْ بَعْضٍ»**.

[ت48/م46] ـ باب من اشترى مُصَرَّاة فكرهها

3443 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عنْ أَبِي الزِّنَادِ، عن الأَعْرَجِ، عن أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: **«لاَ تَلَقَّوُا الرُّكْبَانَ لِلْبَيْعِ، وَلاَ يَبِعْ بَعْضُكُمْ عَلَى بَيْعِ بَعْضٍ، وَلاَ تُصَرُّوا الإِبِلَ وَالْغَنَمَ، فَمَنِ ابْتَاعَهَا بَعْدَ ذَلِكَ فَهُوَ بِخَيْرِ النَّظَرَيْنِ بَعْدَ أَنْ يَحْلِبَهَا فَإِنْ رَضِيَهَا أَمْسَكَهَا وَإِنْ سَخِطَهَا رَدَّهَا وَصَاعًا مِنْ تَمْرٍ»**.

3444 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيل: حدَّثنا حَمَّادٌ، عن أَيُّوبَ وَهِشَامٍ وَحَبِيبٍ، عن مُحَمَّدِ بنِ سِيرِينَ، عن أَبِي هُرَيْرَةَ أَنَّ النَّبِيَّ ﷺ قال: **«مَنِ اشْتَرَى شَاةً مُصَرَّاةً فَهُوَ بالْخِيَارِ ثَلاَثَةَ أَيَّامٍ، إِنْ شَاءَ رَدَّهَا وَصَاعًا مِنْ طَعَامٍ لاَ سَمْرَاءَ»**.

3445 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَخْلَدٍ التَّمِيمِيُّ: حدَّثنا المَكِّيُّ ـ يَعْنِي ابنَ إِبْرَاهِيمَ ـ: حدَّثنا ابنُ جُرَيْجٍ: حَدَّثَنِي زِيَادُ بن سعدٍ الخراسانيُّ أَنَّ ثَابِتًا مَوْلَى عَبْدِ الرَّحمَنِ بنِ زَيْدٍ أَخْبَرَهُ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يَقُولُ: قالَ رَسُولُ اللَّهِ ﷺ: **«مَنِ اشْتَرَى غَنَمًا مُصَرَّاةً احْتَلَبَهَا، فَإِنْ رَضِيَهَا أَمْسَكَهَا وَإِنْ سَخِطَهَا فَفِي حَلْبَتِهَا صَاعٌ مِنْ تَمْرٍ»**.

3446 ـ حدّثنا أَبُو كَامِلٍ: حدَّثنا عَبْدُ الْوَاحِدِ: حدَّثنا صَدَقَةُ بنُ سَعِيدٍ، عن جُمَيْعِ بنِ عُمَيْرٍ التَّيْمِيِّ قال: سَمِعْتُ عَبْدَ اللَّهِ بنَ عُمَرَ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنِ ابْتَاعَ مُحَفَّلَةً فَهُوَ بِالْخِيَارِ ثَلاَثَةَ أَيَّامٍ فَإِنْ رَدَّهَا رَدَّ مَعَهَا**

of the milk (he has got from) it (or said an amount of wheat equal in value to the milk he has got from it)."

[49] It Is Forbidden To Practice Monopolization (Particularly Of Food)

3447- It is narrated on the authority of Sa'id Ibn Al-Musayyab from Ma'mar Ibn Abu Ma'mar, one of the sons belonging to Adi Ibn Ka'b that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None but a sinful dares to practice monopoly (of commodities)." It was said to Sa'id: "But you practice it." He said: "No doubt, Ma'mar himself (the narrator of this Hadith) used to practice it."

Abu Dawud says: I asked Ahmad Ibn Hanbal about the monopolizer, and he said: It is the one who monopolizes such commodities as upon which people depend in their lives.

3448- It is narrated on the authority of Qatadah that he said: Monopoly does not apply to the fruits. He relates that from Al-Hasan, and we said to him: Do not ascribe it to Al-Hasan.

Abu Dawud says: This narration is false in our sight.

[50] What About Breaking (Such Coins As Dinars And) Dirhams

3449- It is narrated on the authority of Alqamah Ibn Abdullah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade breaking the currency of Muslims which they use in their dealings except under severe necessity.

[51] What About Pricing

3450- It is narrated on the authority of Abu Hurairah that a man came to the Messenger of Allah "Allah's blessing and peace be upon him" and asked him to suggest price (for commodities), thereupon he said: "No, let me invoke (Allah)." Another man came to him and said: "O Messenger of Allah! Suggest price (for commodities)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No: indeed, it is Allah Who lowers and raises (whatever and whenever He likes); and I would not like to meet Allah with anyone having (any item of) injustice against me."

3451- It is narrated on the authority of Anas Ibn Malik that the people said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! The prices (of goods) have risen so much high. Fix the price (of commodities) for us." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No, for it is Allah Who causes the

مِثْلَ أَوْ مِثْلَيْ لَبَنِهَا قَمْحًا».

[ت49/م47] - باب في النهي عن الحكرة

3447 - حدّثنا وَهْبُ بنُ بَقِيَّةَ، أخبرنا خَالِدٌ، عن عَمْرِو بنِ يَحْيَى، عن مُحَمَّدِ بنِ عَمْرِو بنِ عَطَاءٍ، عن سَعِيدِ بنِ الْمُسَيَّبِ، عن مَعْمَرِ بنِ أبي مَعْمَرٍ أَحَدِ بَنِي عَدِيِّ بنِ كَعْبٍ قالَ قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَحْتَكِرُ إِلاَّ خَاطِىءٌ**» فَقُلْتُ لِسَعِيدٍ: فَإِنَّكَ تَحْتَكِرُ، قالَ: وَمَعْمَرٌ كَانَ يَحْتَكِرُ.

قال أَبُو دَاوُدَ: وَكَانَ سَعِيدُ بنُ الْمُسَيَّبِ يَحْتَكِرُ النَّوَى وَالْخَبَطَ وَالْبِزْرَ.

قال أَبُو دَاوُدَ: سَمِعْتُ أَحْمَدَ بنَ يُونُسَ قالَ: سَأَلْتُ سُفْيَانَ، عن كَبْسِ الْقَتِّ فَقَالَ: كَانُوا يَكْرَهُونَ الْحُكْرَةَ، وَسَأَلْتُ أَبَا بَكْرِ بْنَ الْعَيَّاشِ فقال: اكْبِسْهُ.

3448 - حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَيَّاضٍ: حدَّثنا أَبِي. (ح)، وحدَّثنا ابنُ الْمُثَنَّى: حدثنا يَحْيَى بنُ الْفَيَّاضِ: حدثنا هَمَّامٌ، عن قَتَادَةَ قال: لَيْسَ فِي التمر حُكْرَةٌ.

قال ابنُ الْمُثَنَّى: قالَ: عن الْحَسَنِ، فَقُلْنَا لَهُ: لاَ تَقُلْ عَنِ الْحَسَنِ.

قال أَبُو دَاوُدَ: هَذَا الْحَدِيثُ عِنْدَنَا بَاطِلٌ.

قال أَبُو دَاوُدَ: سَأَلْتُ أَحْمَدَ: مَا الْحُكْرَةُ؟ قال: مَا فِيهِ عَيْشُ النَّاسِ.

قال أَبُو دَاوُدَ: قال الأَوْزَاعِيُّ: الْمُحْتَكِرُ مَنْ يَعْتَرِضُ السُّوقَ.

[ت50/م48] - باب في كسر الدراهم

3449 - حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا مُعْتَمِرٌ، قالَ: سَمِعْتُ مُحَمَّدَ بنَ فَضَاءٍ يُحَدِّثُ، عنْ أَبِيهِ، عَنْ عَلْقَمَةَ بنِ عَبْدِ اللَّهِ، عنْ أَبِيهِ، قال: «نَهَى رَسُولُ اللَّهِ ﷺ أَنْ تُكْسَرَ سِكَّةُ الْمُسْلِمِينَ الْجَائِزَةُ بَيْنَهُمْ إِلاَّ مِنْ بَأْسٍ».

[ت51/م49] - باب في التسعير

3450 - حدّثنا مُحَمَّدُ بنُ عُثْمَانَ الدِّمَشْقِيُّ أَنَّ سُلَيْمَانَ بنَ بِلاَلٍ حَدَّثَهُمْ قالَ: حَدَّثَنِي الْعَلاَءُ بنُ عَبْدِ الرَّحْمَنِ، عن أَبِيهِ، عن أَبِي هُرَيْرَةَ: أَنَّ رَجُلاً جَاءَ فَقَالَ: يَا رَسُولَ اللَّهِ سَعِّرْ، فَقَالَ: «**بَلْ أَدْعُو**»، ثُمَّ جَاءَ رَجُلٌ فَقَالَ: يَا رَسُولَ اللَّهِ سَعِّرْ، فَقَالَ: «**بَلِ اللَّهُ يَخْفِضُ وَيَرْفَعُ وَإِنِّي لأَرْجُو أَنْ أَلْقَى اللَّهَ وَلَيْسَ لأَحَدٍ عِنْدِي مَظْلَمَةٌ**».

3451 - حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا عَفَّانُ: أخبرنا حَمَّادُ بنُ سَلَمَةَ: حدَّثنا ثَابِتٌ، عن أَنَسِ بنِ مَالِكٍ. وَقَتَادَةُ وَحُمَيْدٌ، عن أَنَسِ بنِ مَالِكٍ قالَ: قَالَ النَّاسُ: يَا رَسُولَ اللَّهِ غَلاَ السِّعْرُ فَسَعِّرْ لَنَا. فقالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ اللَّهَ تعالى هُوَ الْمُسَعِّرُ**

prices to be (as He wills), Who restricts sustenance (to such of His servants as He pleases), enlarges sustenance (for such of His servants as He pleases), provides with sustenance (such of His servants as He pleases); and I would like to meet Allah Almighty, with none of you having any claim over property or blood against me."

[52] It Is Forbidden To Cheat Others

3452- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came upon a man who was selling food, and he asked him: "How do you sell (your goods)?" he told him, and he was revealed to get his hand into it, and he did accordingly, and behold! It was wetted. On that the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "No doubt, whoever cheats does not belong to us."

3453- It is narrated on the authority of Yahya that Sufyan dislikes to understand "Whoever cheats does not belong to us" as he is not one from the Muslims, and he favours to understand it as he is not like us Muslims.

[53] The Freedom Of Choice Of Both Parties Of Transaction

3454- It is narrated on the authority of Abdullah Ibn Umar: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Both parties engaged in transaction have the freedom to choose (to cancel or confirm the bargain), unless they separate and as long as they are still together, and none of them gives the other the freedom to choose (to keep or return before giving his final decision)."

3455- It is narrated on the authority of Abdullah Ibn Umar: The Messenger of Allah "Allah's blessing and peace be upon him" said the same.

3456- It is narrated on the authority of Abdullah Ibn Amr Ibn Al-As that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The two parties involved in the transaction have the freedom of choice (to confirm or cancel the bargain) as long as they do not separate from one another, unless it is a transaction according to which anyone of them gives the other the freedom to choose (to keep or return before giving his final decision); and it is unlawful for anyone of them to hasten to leave his companion for fear he might cancel the transaction."

3457- It is narrated on the authority of Abu Al-Wadi': Abbad Ibn Nusaib hat he said: We took part in a holy battle, and a companion of ours sold a horse to another for a slave, and they spent the rest of their day and night,

الْقَابِضُ الْبَاسِطُ الرَّازِقُ وَإِنِّي لأَرْجُو أَنْ أَلْقَى اللَّهَ وَلَيْسَ أَحَدٌ مِنْكُمْ يُطَالِبُنِي بِمظْلَمَةٍ فِي دَمٍ وَلاَ مَالٍ».

[ت52/م50] ـ باب في النهي عن الغش

3452 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا سُفْيَانُ بنُ عُيَيْنَةَ، عن الْعَلاَءِ، عن أَبِيهِ، عن أَبِي هُرَيْرَةَ: أَنَّ رَسُول اللَّهِ ﷺ مَرَّ بِرَجُلٍ يَبِيعُ طَعَامًا فَسَأَلَهُ: «**كَيْفَ تَبِيعُ؟**»، فَأَخْبَرَهُ، فَأُوْحِيَ إِلَيْهِ أَنْ أَدْخِلْ يَدَكَ فِيهِ، فَأَدْخَلَ يَدَهُ فِيهِ فَإِذَا هُوَ مَبْلُولٌ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**لَيْسَ مِنَّا مَنْ غَشَّ**».

3453 ـ حدّثنا الْحَسَنُ بنُ الصَّبَّاحِ، عن عَلِيٍّ، عن يَحْيَى قال: كَانَ سُفْيَانُ يَكْرَهُ هَذَا التَّفْسِيرَ لَيْسَ مِنَّا لَيْسَ مِثْلَنَا.

[ت53/م51] ـ باب في خيار المتبايعين

3454 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عن نَافِعٍ، عن عَبْدِ اللَّهِ بنِ عُمَرَ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**الْمُتَبَايِعَانِ كُلُّ وَاحِدٍ مِنْهُمَا بِالْخِيَارِ عَلَى صَاحِبِهِ مَا لَمْ يَفْتَرِقَا إِلاَّ بَيْعَ الْخِيَارِ**».

3455 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن أَيُّوبَ، عن نَافِعٍ، عن ابنِ عُمَرَ، عن النَّبِيِّ ﷺ بِمَعْنَاهُ قالَ: «**أَوْ يَقُولُ أَحَدُهُمَا لِصَاحِبِهِ: اخْتَرْ**».

3456 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا اللَّيْثُ، عن ابنِ عَجْلاَنَ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن عَبْدِ اللَّهِ بنِ عَمْرِو بنِ الْعَاصِ أَنَّ رَسُولَ اللَّهِ ﷺ قال: «**الْمُتَبَايِعَانِ بِالْخِيَارِ مَا لَمْ يَفْتَرِقَا إِلاَّ أَنْ تَكُونَ صَفْقَةَ خِيَارٍ، وَلاَ يَحِلُّ لَهُ أَنْ يُفَارِقَ صَاحِبَهُ خَشْيَةَ أَنْ يَسْتَقِيلَهُ**».

3457 ـ حدّثنا مُسَدَّدٌ: حدَّثنا حَمَّادٌ، عن جَمِيلِ بنِ مُرَّةَ، عن أَبِي الْوَضِيءِ عَبَّادِ بْنِ نُسَيْبٍ قالَ: غَزَوْنَا غَزْوَةً لَنَا فَنَزَلْنَا مَنْزِلاً فَبَاعَ صَاحِبٌ لَنَا فَرَسًا بِغُلاَمٍ، ثُمَّ أَقَامَا بَقِيَّةَ يَوْمِهِمَا وَلَيْلَتِهِمَا، فَلَمَّا أَصْبَحَا مِنَ الْغَدِ حَضَرَ الرَّحِيلُ

and when it was morning (of the coming day), and it was time to depart, he stood to his horse to saddle it, thereupon he showed regret, and went to his companion and intended to cancel out the transaction, but the man refused to give him back (the boy and take the horse). He said to him: "Then, let Abu Barzah, the companion of the Messenger of Allah "Allah's blessing and peace be upon him" judge between us." They went to Abu Barzah in one side of the camp, and related the story to him, thereupon he said: "Do you accept that I should judge between you in accordance with the judgement of the Messenger of Allah "Allah's blessing and peace be upon him"? The Messenger of Allah "Allah's blessing and peace be upon him" said: "Both parties involved in the transaction have the freedom of choice (to confirm or cancel the bargain) as long as they do not depart from each other." Jamil said in his narration that he added: "And I do not think you've departed from one another."

3458- It is narrated on the authority of Yahya Ibn Ayyub that he said: Whenever Abu Zur'ah entered into a transaction, he would give the other party the freedom of choice (to confirm or cancel the bargain), and then say to him: "Give me the same freedom of choice." He said: I heard Abu Hurairah having said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let no two persons (engaged in a transaction) leave one another unless both have the same consent."

3459- It is narrated on the authority of Hakim Ibn Hizam that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Both parties involved in the transaction have the freedom of choice (to confirm or cancel the bargain) as long as they do not depart from each other: if both prove truthful (to one another), and show (both qualities and defects), their transaction will be blessed; and if both prove untruthful and conceal (the defects), their transaction will be deprived of the blessing."

Abu Dawud says: The same is narrated on the authority of both Sa'id Ibn Abu Urubah and Hammad, with a slight variation of wording.

[54] The Excellence Of Relieving (A Muslim From The Burdens Of A Transaction At His Request)

3460- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who relieves a Muslim of (the burden of) a transaction (by accepting to cancel it at his request), Allah will relieve him of his difficulty."

فَقَامَ إِلَى فَرَسِهِ يُسْرِجُهُ فَنَدِمَ، فَأَتَى الرَّجُلَ وَأَخَذَهُ بالْبَيْعِ فَأَبَى الرَّجُلُ أَنْ يَدْفَعَهُ إِلَيْهِ، فَقَالَ: بَيْنِي وَبَيْنَكَ أَبُو بَرْزَةَ صَاحِبُ النَّبِيِّ ﷺ فَأَتَيَا أَبَا بَرْزَةَ فِي نَاحِيَةِ الْعَسْكَرِ فَقَالاَ لَهُ هَذِهِ الْقِصَّةَ، فَقَالَ: أَتَرْضَيَانِ أَنْ أَقْضِيَ بَيْنَكُمَا بِقَضَاءِ رَسُولِ اللَّهِ؟ قَالَ رَسُولُ اللَّهِ ﷺ: «**الْبَيِّعَانِ بالخِيَارِ مَا لَمْ يَتَفَرَّقَا**».

قَالَ هِشَامُ بنُ حَسَّانَ: حَدَّثَ جَمِيلٌ أَنَّهُ قَالَ: مَا أُرَاكُمَا افْتَرَقْتُمَا.

قال أَبُو دَاوُدَ: وَكَانَ جَمِيلُ بنُ مرَّةَ يُصِيبُ الدَّرَاهِمَ تَحْتَ رَأْسِهِ. قال حمادٌ: فعَمِيَ ذلك زمانًا ثم حدثنا به.

3458 - حدّثنا مُحَمَّدُ بنُ حَاتِمِ الْجِرْجَرَائِيُّ - قال أَبو داودَ: وكانَ مِنَ الثقاتِ - قالَ مَرْوَانُ الْفَزَارِيُّ: أخبرنا عن يَحْيَى بنِ أَيُّوبَ قال: كَانَ أَبُو زَرْعَةَ إِذَا بَايَعَ رَجُلاً خَيَّرَهُ، قالَ: ثُمَّ يَقُولُ خَيِّرْنِي وَيَقُولُ: سَمِعْتُ أَبَا هُرَيْرَةَ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَفْتَرِقَنَّ اثْنَانِ إِلاَّ عَنْ تَرَاضٍ**».

3459 - حدّثنا أَبُو الْوَلِيدِ الطَّيَالِسِيُّ، قالَ: حدَّثنا شُعْبَةُ، عن قَتَادَةَ، عنْ أَبِي الْخَلِيلِ، عن عَبْدِ اللَّهِ بنِ الْحَارِثِ، عن حَكِيمِ بنِ حِزَامٍ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**الْبَيِّعَانِ بِالْخِيَارِ مَا لَمْ يَفْتَرِقَا، فَإِنْ صَدَقَا وَبَيَّنَا بُورِكَ لَهُمَا فِي بَيْعِهِمَا، وَإِنْ كَتَمَا وَكَذَبَا مُحِقَتِ الْبَرَكَةُ مِنْ بَيْعِهِمَا**».

قال أَبُو دَاوُدَ: وَكَذَلِكَ رَوَاهُ سَعِيدُ بنُ أَبِي عَرُوبَةَ وَحَمَّادٌ، وَأَمَّا هَمَّامٌ فَقَالَ: «**حَتَّى يَتَفَرَّقَا أَوْ يَخْتَارَ**» ثَلاَثَ مَرَّاتٍ.

[ت54/م52] - باب في فضل الإقالة

3460 - حدّثنا يَحْيَى بنُ مَعِينٍ: حدَّثنا حَفْصٌ، عن الأَعْمَشِ، عن أَبِي صَالِحٍ، عن أَبي هُرَيْرَةَ قَالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ أَقَالَ مُسْلِمًا أَقَالَهُ اللَّهُ عَثْرَتَهُ**».

[55] When One Makes Two Transactions Over The Same Thing

3461- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who merges two transactions over the same thing will have the worse of them (or it is a kind of usury)." (The example of it is that a man lends another a Dinar for a container of wheat to be given within a specific period of a month; and when the fixed term comes to an end, the loaner says to the lender: "Sell me your container of wheat I owe you with two containers of wheat to be paid within a specific period of two months." In this way two transactions have been merged, and they further should be brought back to the worse and the cheaper of them. Therefore, if they come to fulfill the latter transaction before the former, they would turn to be usurers.)

[56] What About Establishing The Transaction On The Payment In Advance

3462- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When you come to establish your mutual transactions on the basis of selling a commodity on credit, and then repurchasing it (before the expiration of the fixed term) with a lesser price; and (when you) lag behind the tails of cows, and devote yourselves to the cultivation, instead of taking part in Jihad, Allah Almighty will put you to humiliation so as to deprive you of that, until you return to your faith."

[57] What About The Payment In Advance

3463- It is narrated on the authority of Ibn Abbas that he said: When Allah's Apostle "Allah's blessing and peace be upon him" came to Medina, the people used to pay in advance the price of the dates to be delivered within one, two or three years). The Prophet "Allah's blessing and peace be upon him" said: "Whoever pays money in advance for dates (to be delivered later) should pay it for concrete weight and measure (of goods), within fixed date."

3464- It is narrated on the authority of Mohammad or Abdullah Ibn Mujalid that he said: Abdullah Ibn Shaddad and Abu Burdah differed regarding the payment in advance. Both of them sent me to Abdullah Ibn Abu Awfa who said: In the lifetime of Allah's Apostle "Allah's blessing and peace be upon him", Abu Bakr and Umar, we used to pay in advance the prices of wheat, barley, dried grapes and dates to a people who had no standing crops, to be delivered later. I asked Ibn Abza who said something similar.

[ت55/م53] ـ باب فيمن باع بيعتين في بيعة

3461 ـ حدّثنا أَبو بَكْرِ بنُ أَبِي شَيْبَةَ، عن يَحْيَى بنِ زَكَرِيَّا، عنْ مُحَمَّدِ بنِ عَمْرٍو، عن أَبِي سَلَمَةَ، عن أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ بَاعَ بَيْعَتَيْنِ فِي بَيْعَةٍ فَلَهُ أَوْكَسُهُمَا أَوِ الرِّبَا**».

[ت56/م54] ـ باب في النهي عن العينة

3462 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ الْمَهْرِيُّ: أخبرنَا ابنُ وَهْبٍ: أخبرني حَيْوَةُ بنُ شُرَيْحٍ. (ح)، وَحَدَّثنا جَعْفَرُ بنُ مُسَافِرٍ التِّنِّيسِيُّ: أَخبرنا عَبْدُ اللَّهِ بنُ يَحْيى الْبُرُلُّسِيُّ: حدَّثنا حَيْوَةُ بنُ شُرَيْحٍ، عن إِسْحَاقَ أَبِي عَبْدِ الرَّحْمَنِ، قالَ سُلَيْمَانُ بْنُ داود، أَبو الربيع: عن أَبِي عَبْدِ الرَّحْمَنِ الْخُرَاسَانِيِّ، أَنَّ عَطَاءَ الْخُرَاسَانِيَّ حَدَّثَهُ، أَنَّ نَافِعًا حَدَّثَهُ، عن ابنِ عُمَرَ، قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِذَا تَبَايَعْتُمْ بالعَيِّنَةِ، وَأَخَذْتُمْ أَذْنَابَ الْبَقَرِ، وَرَضِيتُمْ بالزَّرْعِ، وَتَرَكْتُمُ الْجِهَادَ، سَلَّطَ اللَّه عَلَيْكُمْ ذُلاًّ لاَ يَنْزِعُهُ حَتَّى تَرْجِعُوا إِلَى دِينِكُمْ**».

قال أَبُو دَاوُدَ: الإِخْبَارُ لِجَعْفَرٍ، وَهَذَا لَفْظُهُ.

[ت57/م55] ـ باب في السلف

3463 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ: حدَّثنا سُفْيَانُ، عن ابنِ أَبِي نَجِيحٍ، عن عَبْدِ اللَّهِ بنِ كَثِيرٍ، عن أَبِي الْمِنْهَالِ، عن ابنِ عَبَّاسٍ قال: قَدِمَ رَسُولُ اللَّهِ ﷺ الْمَدِينَةَ وَهُمْ يُسْلِفُونَ فِي التَّمْرِ السَّنَةَ وَالسَّنَتَيْنِ وَالثَّلاَثَةَ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ أَسْلَفَ في تَمْرٍ فَلْيُسْلِفْ فِي كَيْلٍ مَعْلُومٍ وَوَزْنٍ مَعْلُومٍ إِلَى أَجَلٍ مَعْلُومٍ**».

3464 ـ حدّثنا حَفْصُ بنُ عُمَرَ: حدَّثنا شُعْبَةُ. (ح) وحدَّثنا ابنُ كَثِيرٍ، أخبرنا شُعْبَةُ، وهذا لفظ حفص قالَ: أخبرني مُحَمَّدٌ أَوْ عَبْدُ اللَّهِ بنُ مُجَالِدٍ قالَ: اخْتَلَفَ عَبْدُ اللَّهِ بنُ شَدَّادٍ وَأَبُو بُرْدَةَ فِي السَّلَفِ، فَبَعَثُونِي إِلَى ابنِ أَبِي أَوْفَى فَسَأَلْتُهُ فَقَالَ: إِنْ كُنَّا نُسْلِفُ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ وَأَبِي بَكْرٍ وَعُمَرَ فِي الْحِنْطَةِ وَالشَّعِيرِ وَالتَّمْرِ وَالزَّبِيبِ. زَادَ ابنُ كَثِيرٍ: إِلَى قَوْمٍ مَا هُوَ عِنْدَهُمْ، ثُمَّ اتَّفَقَا قَالَ: وَسَأَلْتُ ابنَ أَبْزَى فَقَالَ مِثْلَ ذَلِكَ.

3465- The same is narrated on the authority of Ibn Abu Al-Mujalid through another chain of transmitters.

3466- It is narrated on the authority of Abdullah Ibn Abu Awfa Al-Aslami that he said: We took part in a holy battle with the Messenger of Allah "Allah's blessing and peace be upon him" in Sham, and the peasants of Sham (of Arab origins), came to us, to whom we paid in advance the price of oil and wheat, and it was a specific price within fixed date. It was said to him: "Did you do so with such as had standing crops?" he said: "We did not ask them about that."

[58] The Payment In Advance For A Specific Fruit

3467- It is narrated on the authority of Ibn Umar that he said: A man paid in advance the price of the (fruits of the) date-palms, which yielded nothing in this year. They appealed to the Messenger of Allah "Allah's blessing and peace be upon him" to judge between them, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "What claim do you have to make lawful for yourself his property? Bring back his money to him." Then, he said: "Do not pay in advance the price of the (fruits of the) date-palms until their benefit seem evident."

[59] The Payment In Advance For Something Could Not Be Transferred To Another

3468- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who pays in advance the price for a specific thing, let not him turn it to another thing."

[60] What About The Destructive Blight

3469- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: During the lifetime of The Messenger of Allah "Allah's blessing and peace be upon him", a man was stricken by a calamity in the fruits which he purchased (which were befallen by a blight), with the result that his debt became so much. The Messenger of Allah "Allah's blessing and peace be upon him" said (to his companions): "Give him in charity." They gave him in charity, but that did not fulfill his debts. Upon this The Messenger of Allah "Allah's blessing and peace be upon him" said to his creditors: "Take whatever you found (with him), and you have no right more than that."

3470- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When you sell dates to your brother, (who pays the price in advance), and then they have

3465 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ: حدَّثنا يَحْيَى وَابْنُ مَهْدِيٍّ قالاَ: حدَّثنا شُعْبَةُ، عن عَبْدِ اللَّهِ بنِ أَبِي المُجَالِدِ، وَقَالَ عَبْدُ الرَّحْمَنِ: عن ابنِ أَبِي المُجَالِدِ بِهَذَا الْحَدِيثِ قال: عِنْدَ قَوْمٍ مَا هُوَ عِنْدَهُمْ.

قال أَبُو دَاوُدَ: وَالصَّوَابُ ابنُ أَبِي المُجَالِدِ وَشُعْبَةُ أَخْطَأَ فِيهِ.

3466 ـ حدّثنا مُحَمَّدُ بنُ المُصَفَّى: حدَّثنا أَبُو المُغِيرَةِ: حدَّثنا عَبْدُ المَلِكِ بنُ أَبِي غَنِيَّةَ: حَدَّثَنِي أَبُو إِسْحَاقَ، عن عَبْدِ اللَّهِ بنِ أَبِي أَوْفَى الأَسْلَمِيِّ قال: «غَزَوْنَا مَعَ رَسُولِ اللَّهِ ﷺ الشَّامَ فَكَانَ يَأْتِينَا أَنْبَاطٌ مِنْ أَنْبَاطِ الشَّامِ فَنُسْلِفُهُمْ فِي الْبُرِّ وَالزَّيْتِ سِعْرًا مَعْلُومًا وَأَجَلاً مَعْلُومًا، فَقِيلَ لَهُ: مِمَّنْ لَهُ ذَلِكَ؟ قال: مَا كُنَّا نَسْأَلُهُمْ».

[ت58/م56] ـ باب في السلم في ثمرة بعينها

3467 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنَا سُفْيَانُ، عن أَبِي إِسْحَاقَ، عَنْ رَجُلٍ نَجْرَانِيٍّ، عن ابنِ عُمَرَ: أَنَّ رَجُلاً أَسْلَفَ رَجُلاً فِي نَخْلٍ فَلَمْ تُخْرِجْ تِلْكَ السَّنَةَ شَيْئًا فَاخْتَصَمَا إِلَى النَّبِيِّ ﷺ فَقَالَ: «**بِمَ تَسْتَحِلُّ مَالَهُ؟ ارْدُدْ عَلَيْهِ مَالَهُ**» ثُمَّ قَالَ: «**لاَ تُسْلِفُوا فِي النَّخْلِ حَتَّى يَبْدُوَ صَلاَحُهُ**».

[ت59/م57] ـ باب السلف لا يُحَوَّلُ

3468 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى: حدَّثنا أَبُو بَدْرٍ، عن زِيَادِ بنِ خَيْثَمَةَ، عن سَعْدٍ ـ يَعْنِي الطَّائِيَّ ـ، عن عَطِيَّةَ بنِ سَعْدٍ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ أَسْلَفَ فِي شَيْءٍ فَلاَ يَصْرِفْهُ إِلَى غَيْرِهِ**».

[ت60/م58] ـ باب في وضع الجائحة

3469 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا اللَّيْثُ، عن بُكَيْرٍ، عن عِيَاضِ بنِ عَبْدِ اللَّهِ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ أَنَّهُ قَالَ: أُصِيبَ رَجُلٌ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ فِي ثِمَارٍ ابْتَاعَهَا فَكَثُرَ دَيْنُهُ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**تَصَدَّقُوا عَلَيْهِ**»، فَتَصَدَّقَ النَّاسُ عَلَيْهِ، فَلَمْ يَبْلُغْ ذَلِكَ وَفَاءَ دَيْنِهِ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**خُذُوا مَا وَجَدْتُمْ وَلَيْسَ لَكُمْ إِلاَّ ذَلِكَ**».

3470 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ المَهْرِيُّ وَأَحْمَدُ بنُ سَعِيدٍ الْهَمْدَانِيُّ قالاَ: أَخْبَرَنَا ابْنُ وَهْبٍ قالَ: أخبرني ابنُ جُرَيْجٍ. (ح)، وَحَدَّثَنَا مُحَمَّدُ بنُ مَعْمَرٍ: حدثنا أَبُو عَاصِمٍ، عن ابنِ جُرَيْجٍ المَعْنَى أَنَّ أَبَا الزُّبَيْرِ المَكِّيَّ أَخْبَرَهُ عن جَابِرِ بنِ عَبْدِ اللَّهِ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**إِنْ بِعْتَ مِنْ أَخِيكَ تَمْرًا فَأَصَابَتْهَا جَائِحَةٌ فَلاَ يَحِلُّ لَكَ**

been blighted, it is unlawful fro you to take anything from him: what right do you have to take the property of your brother?"

[61] What Is The Destructive Blight

3471- It is narrated on the authority of Ata' that he said: The destructive blight applies to every aspect of damage caused by rain, frost, wind or locusts, or burning.

3472- It is narrated on the authority of Yahya Ibn Sa'id that he said: According to the principles of Muslims, if less than one-third the property is befallen, then, it should not be considered as destructive blight.

[62] What About Withholding The Water

3473- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The surplus of water should not be withheld, therewith to withhold the grass (from the grazing animals)."

3474- It is narrated on the authority of Abu Hurairah that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "There are three persons whom Allah will never speak with on the Day of Judgement. They are: A man possesses superfluous water on a way, which he withholds from wayfarers; a man takes a false oath on his goods for sale after the Asr prayer; and a man who gives a pledge of allegiance to a ruler and he gives it only for worldly benefits. If the ruler gives him something he proves true to his pledge to him, and if the ruler withholds something from him, he retracts from his allegiance to him."

3475- The same is narrated on the authority of Al-A'mash in which he said: "There are three persons whom Allah will never speak with on the Day of Judgement, nor will He look at, nor will He purify and theirs shall be a severe punishment. They are: A man possesses superfluous water on a way, which he withholds from wayfarers; a man displays his goods for sale after the Asr prayer and he takes an oath By Allah that he has bought it for such and such (money), and somebody believes him (and buys that), even though he has told a lie; and a man who gives a pledge of allegiance to a ruler and he gives it only for worldly benefits. If the ruler gives him something he proves true to his pledge to him, and if the ruler withholds something from him, he retracts from his allegiance to him."

3476- It is narrated on the authority of Buhaisah from her father that she said: My father asked the permission of the Messenger of Allah "Allah's

أَنْ تَأْخُذَ مِنْهُ شَيْئًا، بِمَ تَأْخُذُ مَالَ أَخِيكَ بِغَيْرِ حَقٍّ؟».

[ت61/م59] ـ باب في تفسير الجائحة

3471 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ المَهْرِيُّ: أخبرنَا ابنُ وَهْبٍ: أَخْبَرَنِي عُثْمَانُ بنُ الْحَكَمِ، عن ابنِ جُرَيْجٍ، عن عَطَاءٍ قالَ: الْجَوَائِحُ كُلُّ ظَاهِرٍ مُفْسِدٍ مِنْ مَطَرٍ أَوْ بَرْدٍ أَوْ جَرَادٍ أَوْ رِيحٍ أَوْ حَرِيقٍ.

3472 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ: أخبرنا ابنُ وَهْبٍ: أخبرني عُثْمَانُ بنُ الْحَكَمِ، عن يَحْيَى بنِ سَعِيدٍ أَنَّهُ قالَ: لاَ جَائِحَةَ فِيمَا أُصِيبَ دُونَ ثُلُثِ رَأْسِ المَالِ. قالَ يَحْيَى: وَذَلِكَ فِي سُنَّةِ المُسْلِمِينَ.

[ت62/م60] ـ باب في منع الماء

3473 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا جَرِيرٌ، عن الأَعْمَشِ، عن أَبِي صَالِحٍ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«لاَ يُمْنَعُ فَضْلُ المَاءِ لِيُمْنَعَ بِهِ الْكَلأُ»**.

3474 ـ حدّثنا أَبُو بَكْرِ بنُ أَبِي شَيْبَةَ: حدَّثنا وَكِيعٌ: حدَّثنا الأَعْمَشُ، عن أَبِي صَالِحٍ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«ثَلاَثَةٌ لاَ يُكَلِّمُهُمُ اللَّهُ يَوْمَ الْقِيَامَةِ: رَجُلٌ مَنَعَ ابنَ السَّبِيلِ فَضْلَ مَاءٍ عِنْدَهُ، وَرَجُلٌ حَلَفَ عَلَى سِلْعَةٍ بَعْدَ الْعَصْرِ»** ـ يَعْنِي كَاذِبًا ـ **«وَرَجُلٌ بَايَعَ إِمَامًا، فَإِنْ أَعْطَاهُ وَفَى لَهُ، وَإِنْ لَمْ يُعْطِهِ لَمْ يَفِ لَهُ»**.

3475 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا جَرِيرٌ، عن الأَعْمَشِ بِإِسْنَادِهِ وَمَعْنَاهُ قال: **«وَلاَ يُزَكِّيهِمْ وَلَهُمْ عَذَابٌ أَلِيمٌ»** وَقَالَ فِي السِّلْعَةِ: **«بِاللَّهِ لَقَدْ أَعْطَى بِهَا كَذَا وَكَذَا فَصَدَّقَهُ الآخَرُ فَأَخَذَهَا»**.

3476 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ مُعَاذٍ: حدَّثنا أَبِي: حدثنا كَهْمَسٌ، عن سَيَّارِ بنِ مَنْظُورٍ ـ رَجُلٌ مِنْ بَنِي فَزَارَةَ ـ عن أَبِيهِ، عن امْرَأَةٍ يُقَالُ لَهَا: بُهَيْسَةُ، عن أَبِيهَا قَالَتِ: اسْتَأْذَنَ أَبِي النَّبِيَّ ﷺ، فَدَخَلَ بَيْنَهُ وَبَيْنَ قَمِيصِهِ،

blessing and peace be upon him" to be admitted, and he then entered in between him and his outer garment, and started kissing, and passing his hand over his body, and then he asked him: "O Prophet of Allah! What is that which is unlawful to be withheld (from others)?" he said: "The Water." He asked once again: "O Prophet of Allah! What is that which is unlawful to be withheld (from others)?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "The salt." He asked for the third time: "O Prophet of Allah! What is that which is unlawful to be withheld (from others)?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "To do good is much better for you."

3477- It is narrated on the authority of Khadash that he said: I heard a companion of the Messenger of Allah "Allah's blessing and peace be upon him" having said in a holy battle: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Three things are joint property for all the Muslims: water, fire and grass."

Abu Dawud says: Abu Ali said: One from amongst the companions of the Messenger of Allah "Allah's blessing and peace be upon him", belonging to the Muhajirs said: I took part in fighting beside the Messenger of Allah "Allah's blessing and peace be upon him", and I heard him having said thrice: "The Muslims are partners in three things: grass, water and fire."

[63] What About Selling The Surplus Water

3478- It is narrated on the authority of Iyas Ibn Abd that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade selling the surplus water.

[64] What About The Price Of A Tomcat

3479- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (the people to accept) the price of a dog and the price of a tomcat.

3480- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (the people to accept) the price of a cat.

[65] What About The Price Of A Dog And The Charge Of A Soothsayer

3481- It is narrated on the authority of Abu Mas'ud that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade

فَجعَلَ يُقَبِّلُ وَيَلْتَزِمُ، ثُمَّ قال: يَا نَبِيَّ اللَّهِ مَا الشَّيْءُ الَّذِي لاَ يَحِلُّ مَنعُهُ؟ قالَ: «**الْمَاءُ**». قال: يَا نَبِيَّ اللَّهِ مَا الشَّيْءُ الَّذِي لاَ يَحِلُّ مَنْعُهُ؟ قالَ: «**المِلْحُ**». قالَ: يَا نَبِيَّ اللَّهِ مَا الشَّيْءُ الَّذِي لاَ يَحِلُّ مَنْعُهُ؟ قال: «**أَنْ تَفْعَلَ الْخَيْرَ خَيْرٌ لَكَ**».

3477 - حدّثنا عَلِيُّ بنُ الْجَعْدِ اللُّؤْلُؤِيُّ: أخبرنا حَرِيزُ بنُ عُثْمَانَ، عن حِبَّانِ بنِ زَيْدٍ الشَّرْعَبِيِّ، عن رَجُلٍ مِنْ قَرْنٍ. (ح)، وحدَّثنا مُسَدَّدٌ: حدَّثنا عِيسَى بنُ يُونُسَ: حدَّثنا حَرِيزُ بنُ عُثْمَانَ: حدَّثنا أَبُو خِدَاشٍ وَهَذَا لَفْظُ مُسَدَّدٍ أَنَّهُ سَمِعَ رَجُلاً مِنْ أَصْحَابِ النَّبِيِّ ﷺ في غَزَاةٍ يَقُولُ: قالَ رَسُولُ اللَّهِ ﷺ: «**الْمُسْلِمُونَ شُرَكَاءُ فِي ثَلاَثٍ: فِي الْمَاءِ وَالْكَلإِ وَالنَّارِ**».

قال أَبُو دَاوُدَ: قال عَلِيٌّ: عن رَجُلٍ مِنَ الْمُهَاجِرِينَ مِنْ أَصْحَابِ النَّبِيِّ ﷺ قال: غَزَوْتُ مَعَ النَّبِيِّ ﷺ ثَلاَثًا أَسْمَعُهُ يَقُولُ: «**الْمُسْلِمُونَ شُرَكَاءُ فِي ثَلاَثٍ: فِي الْمَاءِ وَالْكَلإِ وَالنَّارِ**».

[ت63/م61] - باب في بيع فضل الماء

3478 - حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ: حدَّثنا دَاوُدُ بنُ عَبْدِ الرَّحْمَنِ الْعَطَّارُ، عن عَمْرِو بنِ دِينَارٍ، عن أَبِي المِنْهَالِ، عن إِيَاسِ بنِ عَبْدٍ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ بَيْعِ فَضْلِ الْمَاءِ.

[ت64/م62] - باب في ثمن السِّنَّور

3479 - حدّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ. (ح)، وحدَّثنا الرَّبِيعُ بنُ نَافِعٍ أَبُو تَوْبَةَ وَعَلِيُّ بنُ بَحْرٍ قالاَ: حدثنا عِيسَى، وَقَالَ إِبْرَاهِيمُ: أخبرنا عن الأَعْمَشِ، عن أَبِي سُفْيَانَ، عن جَابِرِ بنِ عَبْدِ اللَّهِ: أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ ثَمَنِ الْكَلْبِ وَالسِّنَّوْرِ.

3480 - حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا عُمَرُ بنُ زَيْدٍ الصَّنْعَانِيُّ أَنَّهُ سَمِعَ أَبَا الزُّبَيْرِ، عن جَابِرٍ: أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ ثَمَنِ الْهِرَّةِ.

[ت65/م63] - باب في أَثمان الكلاب وحلوان الكاهن

3481 - حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، عن أَبِي بَكْرِ بنِ عَبْدِ الرَّحْمَنِ أَبِي مَسْعُودٍ، عن النَّبِيِّ ﷺ: أَنَّهُ نَهَى عَنْ ثَمَنِ الْكَلْبِ وَمَهْرِ

(people to accept) the price of a dog, the earnings of a prostitute, and the charge of a soothsayer.

3482- It is narrated on the authority of Abdullah Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (people to accept or give) the price of a dog; and if anyone comes to demand the price of a dog, fill his mouth with dust (in reference to disappointment and loss).

3483- It is narrated on the authority of Awn Ibn Juhaifah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (people to accept or give) the price of a dog.

3484- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is unlawful (to accept or give) the price of a dog, the charge of a soothsayer, and the earnings of a prostitute."

[66] What About The Price Of Wine And Dead Bodies

3485- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah Almighty has made lawful wine as well as its price, (eating) the dead as well as its price, and (eating) the swine as well as its price."

3486- It is narrated on the authority of Jabir Ibn Abdullah that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said in the year of Conquest (of Mecca): "No doubt, Allah and His Messenger prohibited the sale of wine, dead (animals), swine and idols." It was said: "O Messenger of Allah! What about the fat of the dead (animals), it is used in painting the (wood of the) ships, varnishing the hide and the people use it in lighting." He (The Prophet) said: "No, it is prohibited." Then he added: "Might Allah destroy the Jews! When the fat was prohibited to them by Allah, they melted it, then sold it, and utilized its price."

3487- The same is narrated on the authority of Jabir through another chain of transmitter, with the omission of the statement: "It is unlawful."

3488- It is narrated on the authority of Ibn Abbas that he said: I saw the Messenger of Allah "Allah's blessing and peace be upon him" sitting beside the Corner and he raised his sight up towards the sky and then smiled. He then said: "Might Allah destroy the Jews! When the fat was prohibited to them by Allah, they (melted and) sold it, and utilized its price.

الْبَغِيِّ وَحُلْوَانِ الْكَاهِنِ.

3482 ـ حدّثنا الرَّبِيعُ بنُ نَافِعٍ أَبُو تَوْبَةَ: حدَّثنا عُبَيْدُ اللَّهِ ـ يَعْنِي ابنَ عَمْرٍو ـ، عن عَبْدِ الْكَرِيمِ، عن قَيْسِ بنِ حَبْتَرٍ، عن عَبْدِ اللَّهِ بنِ عَبَّاسٍ قال: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ ثَمَنِ الْكَلْبِ وَإِنْ جَاءَ يَطْلُبُ ثَمَنَ الْكَلْبِ فَامْلأْ كَفَّهُ تُرَابًا.

3483 ـ حدّثنا أَبُو الْوَلِيدِ الطَّيَالِسِيُّ: حدَّثنا شُعْبَةُ: أخبرني عَوْنُ بنُ أَبِي جُحَيْفَةَ أَنَّ أَبَاهُ قال: إِنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ ثَمَنِ الْكَلْبِ.

3484 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ: حَدَّثَنِي مَعْرُوفُ بنُ سُوَيْدٍ الْجُذَامِيُّ أَنَّ عَلِيَّ بنَ رَبَاحٍ اللَّخْمِيَّ حَدَّثَهُ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ يَحِلُّ ثَمَنُ الْكَلْبِ وَلاَ حُلْوَانُ الْكَاهِنِ، وَلاَ مَهْرُ الْبَغِيِّ»**.

[ت66/م64] ـ باب في ثمن الخمر والميتة

3485 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا عَبْدُ اللَّهِ بنُ وَهْبٍ، عن مُعَاوِيَةَ بنِ صَالِحٍ، عن عَبْدِ الْوَهَّابِ بنِ بُخْتٍ، عن أَبِي الزِّنَادِ، عن الأَعْرَجِ، عن أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: **«إِنَّ اللَّهَ حَرَّمَ الْخَمْرَ وَثَمَنَهَا، وَحَرَّمَ الْمَيْتَةَ وَثَمَنَهَا، وَحَرَّمَ الْخِنْزِيرَ وَثَمَنَهُ»**.

3486 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا اللَّيْثُ، عن يَزِيدَ بنِ أَبِي حَبِيبٍ، عن عَطَاءِ بنِ أَبِي رَبَاحٍ، عن جَابِرِ بنِ عَبْدِ اللَّهِ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ عَامَ الْفَتْحِ وَهُوَ بِمَكَّةَ: **«إِنَّ اللَّهَ حَرَّمَ بَيْعَ الْخَمْرِ وَالْمَيْتَةِ وَالْخِنْزِيرِ وَالأَصْنَامِ»**، فَقِيلَ: يَا رَسُولَ اللَّهِ أَرَأَيْتَ شُحُومَ الْمَيْتَةِ فَإِنَّهُ يُطْلَى بِهَا السُّفُنُ، وَيُدْهَنُ بِهَا الْجُلُودُ، وَيَسْتَصْبِحُ بِهَا النَّاسُ؟ فَقَالَ: «**لاَ؛ هُوَ حَرَامٌ**»، ثُمَّ قَالَ رَسُولُ اللَّهِ ﷺ عِنْدَ ذَلِكَ: **«قَاتَلَ اللَّهُ الْيَهُودَ، إِنَّ اللَّهَ لَمَّا حَرَّمَ عَلَيْهِمْ شُحُومَهَا أَجْمَلُوهُ ثُمَّ بَاعُوهُ فَأَكَلُوا ثَمَنَهُ»**.

3487 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ: حدَّثنا أَبُو عَاصِمٍ، عن عَبْدِ الْحَمِيدِ بنِ جَعْفَرٍ، عن يَزِيدَ بنِ أَبِي حَبِيبٍ قالَ: كَتَبَ إِلَيَّ عَطَاءٌ، عن جَابِرٍ نَحْوَهُ، لَمْ يَقُلْ: «**هُوَ حَرَامٌ**».

3488 ـ حدّثنا مُسَدَّدٌ أَنَّ بِشْرَ بنَ الْمُفَضَّلِ وَخَالِدَ بنَ عَبْدِ اللَّهِ حَدَّثَاهُم، الْمَعْنَى، عن خَالِدٍ الْحَذَّاءِ، عن بَرَكَةَ، قالَ مُسَدَّدٌ فِي حَدِيثِ خَالِدِ بنِ عَبْدِ اللَّهِ: عن بَرَكَةَ أَبِي الْوَلِيدِ، ثُمَّ اتَّفَقَا: عن ابنِ عَبَّاسٍ قال: رَأَيْتُ رَسُولَ اللَّهِ ﷺ جَالِسًا عِنْدَ الرُّكْنِ، قالَ: فَرَفَعَ بَصَرَهُ إِلَى السَّمَاءِ فَضَحِكَ فَقَالَ: **«لَعَنَ اللَّهُ الْيَهُودَ»**، ثَلاَثًا، **«إِنَّ اللَّهَ تَعَالَى حَرَّمَ عَلَيْهِمُ الشُّحُومَ فَبَاعُوهَا وَأَكَلُوا أَثْمَانَهَا، وَإِنَّ اللَّهَ تَعَالَى إِذَا حَرَّمَ عَلَى قَوْمٍ أَكْلَ شَيْءٍ**

Indeed, when Allah forbids eating anything to a people, He forbids accepting its price to them."

3489- It is narrated on the authority of Al-Mughirah Ibn Shu'bah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who sells (and makes lawful to him the price of) wine, let him then make lawful the flesh of the swine."

3490- It is narrated on the authority of A'ishah that she said: When the concluding Holy Verses of Al-Baqarah were revealed, the Messenger of Allah "Allah's blessing and peace be upon him" came out and recite them to us and said: "The wine has been forbidden."

3491- The same is narrated on the authority of Al-A'mash, through the same chain of transmitters, and added here: The concluding Holy Verses pertaining to usury.

[67] What About Selling Food Before Being Received (And Made Ready For Being Measured And Weighed)

3492- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who sells food, let not sell it until he first receives it (and makes it ready for being measured and weighed)."

3493- It is narrated on the authority of Ibn Umar that he said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", we used to purchase food from the caravans without measuring, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" used to send to us ordering us to transfer it from the very place where we had purchased it to another place (i.e. the market, to be easy to measure and weigh for the buyers).

3494- It is narrated on the authority of Ibn Umar that he said: The (traders) used to purchase and sell food randomly without measuring in the upper portion of the market, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" forbade them to sell it until they should transport it (to another place to be easy to measure and weigh for the buyers).

3495- It is narrated on the authority of Abdullah Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" forbade anyone to sell food by measure until he should receive it (first and know its measure).

حَرَّمَ عَلَيْهِمْ ثَمَنَهُ»، وَلَمْ يَقُلْ فِي حَدِيثِ خَالِدِ بنِ عَبْدِ اللَّهِ الطَّحَّانِ «**رَأَيْتُ**» وَقَالَ: «**قَاتَلَ اللَّهُ الْيَهُودَ**».

3489 - حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا ابنُ إِدْرِيسَ وَوَكِيعٌ، عن طُعْمَةَ بنِ عَمْرٍو الْجَعْفَرِيِّ، عن عَمْرِو بنِ بَيَانَ التَّغْلِبِيِّ، عن عُرْوَةَ بنِ الْمُغِيرَةِ بنِ شُعْبَةَ، عن الْمُغِيرَةِ بنِ شُعْبَةَ قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ بَاعَ الْخَمْرَ فَلْيُشَقِّصِ الْخَنَازِيرَ**».

3490 - حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا شُعْبَةُ، عن سُلَيْمَانَ، عن أَبِي الضُّحَى، عَنْ مَسْرُوقٍ، عنْ عَائِشَةَ قَالَتْ: لَمَّا نَزَلَتِ الآيَاتُ الأَوَاخِرُ مِنْ سُورَةِ الْبَقَرَةِ خَرَجَ رَسُولُ اللَّهِ ﷺ فَقَرَأَهُنَّ عَلَيْنَا وَقَالَ: «**حُرِّمَتِ التِّجَارَةُ فِي الْخَمْرِ**».

3491 - حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا أَبُو مُعَاوِيَةَ، عن الأَعْمَشِ بِاسْنَادِهِ وَمَعْنَاهُ قال: الآيَاتُ الأَوَاخِرُ فِي الرِّبَا.

[ت67/م65] - باب في بيع الطعام قبل أن يُستوفى

3492 - حدّثنا عَبْدُ اللَّهِ بنُ مَسْلمَةَ، عن مَالِكٍ، عن نَافِعٍ، عن ابنِ عُمَرَ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**مَنِ ابْتَاعَ طَعَامًا فَلاَ يَبِعْهُ حَتَّى يَسْتَوْفِيَهُ**».

3493 - حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عن نَافِعٍ، عن ابنِ عُمَرَ أَنَّهُ قَالَ: «كُنَّا فِي زَمَنِ رَسُولِ اللَّهِ ﷺ نَبْتَاعُ الطَّعَامَ فَيَبْعَثُ عَلَيْنَا مَنْ يَأْمُرُنَا بِانْتِقَالِهِ مِنَ الْمَكَانِ الَّذِي ابْتَعْنَاهُ فِيهِ، إِلَى مَكَانٍ سِوَاهُ قَبْلَ أَنْ نَبِيعَهُ» يَعْنِي جِزَافًا.

3494 - حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا يَحْيَى، عنْ عُبَيْدِ اللَّهِ: أَخبرني نَافِعٌ، عن ابنِ عُمَرَ قَالَ: كَانُوا يَبْتَاعُونَ الطَّعَامَ جِزَافًا بِأَعْلَى السُّوقِ، فَنَهَى رَسُولُ اللَّهِ ﷺ أَنْ يَبِيعُوهُ حَتَّى يَنْقُلُوهُ.

3495 - حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ: حدَّثنا عَمْرٌو، عن الْمُنْذِرِ بنِ عُبَيْدٍ الْمَدِينِيِّ أَنَّ الْقَاسِمَ بنَ مُحَمَّدٍ حَدَّثَهُ، أَنَّ عَبْدَ اللَّهِ بنَ عُمَرَ حَدَّثَهُ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهى أَنْ يَبِيعَ أَحَدٌ طَعَامًا اشْتَرَاهُ بِكَيْلٍ حَتَّى يَسْتَوْفِيَهُ.

3496- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone sells food, let not him sell it until he weighs it first." Abu Bakr added in his narration: I asked Ibn Abbas: "Why is that?" he said: "Do you not see that they make their transactions with the help of food and gold on credit?"

3497- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you buys food, let not sell it until he takes hold of it first (and weighs it properly)." Ibn Abbas commented: I think everything (of commodities) is like food in this respect.

3498- It is narrated on the authority of Ibn Umar that he said: During the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", I saw the people having beaten when they purchased food randomly without measuring and sold it before transporting it to their resting place.

3499- It is narrated on the authority of Ibn Umar that he said: I purchased oil in the market, and took hold of it, and then another man met me and purchased it from me with a good profit, and I intended to confirm the deal but a man from behind me caught hold of my arm and I turned and behold! He was Zaid Ibn Thabit, who said to me: "Do not sell it where you have purchased it before you get it in your possession in your resting place, since the Messenger of Allah "Allah's blessing and peace be upon him" forbade the traders to sell their commodities in the very place where they purchase them before they take hold of them in their resting places."

[68] When A Man Says On Selling: "On The Condition That There Should Be No Cheating"

3500- It is narrated on the authority of Ibn Umar that a man mentioned to the Messenger of Allah "Allah's blessing and peace be upon him" that he was always cheated in transactions, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "When you enter into transaction with anyone, say: "On the condition that there should be no cheating"" accordingly, whenever the man entered into transaction, he would say: "On the condition that there should be no cheating"

3501- It is narrated on the authority of Anas Ibn Malik that during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", there was a weak-minded man, and he used to engage himself in transactions, and he was always cheated by others, thereupon his family came to the Messenger of Allah "Allah's blessing and peace be upon him"

3496 ـ حدّثنا أَبُو بَكْرٍ وَعُثْمَانُ ابْنَا أَبِي شَيْبَةَ قَالاَ: حدَّثنا وَكِيعٌ، عن سُفْيَانَ، عن ابنِ طَاوُسٍ، عن أَبِيهِ، عن ابنِ عَبَّاسٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«مَنِ ابْتَاعَ طَعَامًا فَلاَ يَبِعْهُ حَتَّى يَكْتَالَهُ»** زَادَ أَبُو بَكْرٍ قَالَ قُلْتُ لاِبْنِ عَبَّاسٍ: لِمَ؟ قالَ: أَلاَ تَرَى أَنَّهُمْ يَتَبَايَعُونَ بالذَّهَبِ وَالطَّعَامُ مُرجًّى.

3497 ـ حدّثنا مُسَدَّدٌ وَسُلَيْمَانُ بنُ حَرْبٍ قَالاَ: حدَّثنا حَمَّادٌ. (ح)، وحدَّثنا مُسَدَّدٌ: حدَّثنا أَبُو عَوَانَةَ وَهَذَا لَفْظُ مُسَدَّدٍ، عن عَمْرِو بنِ دِينَارٍ، عَنْ طَاوُسٍ، عن ابنِ عَبَّاسٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا اشْتَرَى أَحَدُكُمْ طَعَامًا فَلاَ يَبِعْهُ حَتَّى يَقْبِضَهُ»**. قَالَ سُلَيْمَانُ بنُ حَرْبٍ: **«حَتَّى يَسْتَوْفِيَهُ»** زَادَ مُسَدَّدٌ قَالَ: وَقَالَ ابنُ عَبَّاسٍ: وَأَحْسِبُ كُلَّ شَيْءٍ مِثْلَ الطَّعَامِ.

3498 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ، عن الزُّهْرِيِّ، عن سَالِمٍ، عن ابنِ عُمَرَ قَالَ: رَأَيْتُ النَّاسَ يُضْرَبُونَ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ إِذَا اشْتَرَوُا الطَّعَامَ جِزَافًا أَنْ يَبِيعُوهُ حَتَّى يُبَلِّغَهُ إِلَى رَحْلِهِ.

3499 ـ حدّثنا مُحَمَّدُ بنُ عَوْفٍ الطَّائِيُّ: حدَّثنا أَحْمَدُ بنُ خَالِدٍ الْوَهْبِيُّ: حدَّثنا مُحَمَّدُ بنُ إِسْحَاقَ، عن أَبِي الزِّنَادِ، عن عُبَيْدِ بنِ حُنَيْنٍ، عن ابنِ عُمَرَ قال: ابْتَعْتُ زَيْتًا فِي السُّوقِ فَلَمَّا اسْتَوْجَبْتُهُ لِنَفْسِيَ لَقِيَنِي رَجُلٌ فَأَعْطَانِي بِهِ رِبْحًا حَسَنًا فَأَرَدْتُ أَنْ أَضْرِبَ عَلَى يَدِهِ، فَأَخَذَ رَجُلٌ مِنْ خَلْفِي بِذِرَاعِي، فَالْتَفَتُّ فَإِذَا زَيْدُ بنُ ثَابِتٍ، فَقَالَ: لاَ تَبِعْهُ حَيْثُ ابْتَعْتَهُ حَتَّى تَحُوزَهُ إِلَى رَحْلِكَ، فَإِنَّ رَسُولَ اللَّهِ ﷺ نَهَى أَنْ تُبَاعَ السِّلَعُ حَيْثُ تُبْتَاعُ، حَتَّى يَحُوزَهَا التُّجَّارُ إِلَى رِحَالِهِمْ.

[ت68/م66] ـ باب في الرجل يقول في البيع «لا خِلابة»

3500 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عن عَبْدِ اللَّهِ بنِ دِينَارٍ، عن ابنِ عُمَرَ: أَنَّ رَجُلاً ذَكَرَ لِرَسُولِ اللَّهِ ﷺ أَنَّهُ يُخْدَعُ فِي الْبَيْعِ، فَقَالَ لَهُ رَسُولُ اللَّهِ ﷺ: **«إِذَا بَايَعْتَ فَقُلْ: لاَ خِلاَبَةَ»** فَكَانَ الرَّجُلُ إِذَا بَايَعَ يَقُولُ: لاَ خِلاَبَةَ.

3501 ـ حدّثنا مُحَمَّدُ بنُ عَبْدِ اللَّهِ الأُرْزِيُّ وَإِبْرَاهِيمُ بنُ خَالِدٍ أَبُو ثَوْرٍ الْكَلْبِيُّ، الْمَعْنَى، قالاَ: حدَّثنا عَبْدُ الْوَهَّابِ، قالَ مُحَمَّدٌ: عَبْدُ الْوَهَّابِ بنُ عَطَاءٍ، قالَ: أخبرنَا سَعِيدٌ، عن قَتَادَةَ، عن أَنَسِ بنِ مَالِكٍ: أَنَّ رَجُلاً عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ كَانَ يَبْتَاعُ وَفِي عُقْدَتِهِ ضُعْفٌ، فَأَتَى أَهْلُهُ نَبِيَّ اللَّهِ ﷺ فَقَالُوا: يَا نَبِيَّ اللَّهِ احْجُرْ

and asked him to limit his legal competence. The Messenger of Allah "Allah's blessing and peace be upon him" invited him, and tried to forbid him, but the man said to him: "O Messenger of Allah! I could not help enter into transaction." On that he said to him: "If you could not leave transaction, then, when you enter into transaction (with others) say: "Here it is, on the condition that there should be no cheating."

[69] What About Transaction By Way Of Handsell

3502- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" forbade transaction by way of handsell. Malik says: The handsell is, to our knowledge, and Allah Almighty knows best, that a man buys, say, a slave, or hires a mount for one hundred Dinars, out of which he gives the seller a single Dinar as handsell, and says to him: "If I leave the commodity, or cancel the hiring, it, the Dinar I've given to you, becomes yours."

[70] When A Man Sells What Is Not In His Possession

3503- It is narrated on the authority of Hakim Ibn Hizam that he said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! Somebody might come to buy from me what is not in my possession, thereupon I go to the market to get it and then sell it to him." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not sell what is not in your possession."

3504- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is unlawful to pay in advance as far as the transaction is concerned, nor to stipulate two opposing conditions (for two persons) in selling (anything of the same kind), nor to make profit from that, for which you give no warranty, nor to sell that which is not in your possession."

[71] What About Stipulating Conditions In Transaction

3505- It is narrated on the authority of Jabir Ibn Abdullah that he said: I sold my camel to the Messenger of Allah "Allah's blessing and peace be upon him" on the condition that (he should not become in his possession until) it transported me to my family...and in the last portion of the narration he told that the Prophet said: "Do you think I've haggle with you with the intention to deprive you of your camel? Take your camel and its price: both are yours."

عَلَى فُلاَنٍ فَإِنَّهُ يَبْتَاعُ وَفِي عَقْدَتِهِ ضُعْفٌ، فَدَعَاهُ النَّبِيُّ ﷺ فَنَهَاهُ عن الْبَيْعِ، فَقَالَ: يَا نَبِيَّ اللَّهِ إِنِّي لاَ أَصْبِرُ عن الْبَيْعِ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**إِنْ كُنْتَ غَيْرَ تَارِكٍ لِلْبَيْعِ، فَقُلْ: هَاءَ وَهَاءَ وَلاَ خِلاَبَةَ**». قالَ أَبُو ثَوْرٍ عَنْ سَعِيدٍ.

[ت69/م67] ـ باب في العُرْبان

3502 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ قالَ: قَرَأْتُ عَلَى مَالِكِ بنِ أَنَسٍ أَنَّهُ بَلَغَهُ عَنْ عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ أَنَّهُ قال: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ الْعُرْبَانِ قالَ مَالِكٌ: وَذَلِكَ فِيمَا نُرَى ـ وَاللَّهُ أَعْلَمُ ـ أَنْ يَشْتَرِيَ الرَّجُلُ الْعَبْدَ أَوْ يَتَكَارَى الدَّابَّةَ ثُمَّ يَقُولُ: أُعْطِيكَ دِينَارًا عَلَى أَنِّي إِنْ تَرَكْتُ السِّلْعَةَ أَوِ الْكِرَاءَ فَمَا أَعْطَيْتُكَ لَكَ.

[ت70/م68] ـ باب في الرجل يبيع ما ليس عنده

3503 ـ حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو عَوَانَةَ، عن أَبِي بِشْرٍ، عن يُوسُفَ بنِ مَاهَكَ، عن حَكِيم بنِ حِزَامٍ قالَ: يَا رَسُولَ اللَّهِ يَأْتِينِي الرَّجُلُ فَيُرِيدُ مِنِّي الْبَيْعَ لَيْسَ عِنْدِي، أَفَأَبْتَاعُهُ لَهُ مِنَ السُّوقِ؟ فقالَ: «**لاَ تَبِعْ مَا لَيْس عِنْدَكَ**».

3504 ـ حدّثنا زُهَيْرُ بنُ حَرْبٍ: حدَّثنا إِسْمَاعِيلُ، عن أَيُّوبَ: حَدَّثَنِي عَمْرُو بنُ شُعَيْبٍ، حدَّثَنِي أَبِي، عن أَبِيهِ حَتَّى ذَكَرَ عَبْدَ اللَّهِ بنَ عَمْرٍو قَالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَحِلُّ سَلَفٌ وَبَيْعٌ وَلاَ شَرْطَانِ فِي بَيْعٍ، وَلاَ رِبْحُ مَا لَمْ تَضْمَنْ، وَلاَ بَيْعُ مَا لَيْسَ عِنْدَكَ**».

[ت71/م69] ـ باب في شرطٍ في بيع

3505 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى بنُ سَعِيدٍ، عن زَكَرِيَّا: حدَّثنا عَامِرٌ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قال: بِعْتُهُ ـ يَعْنِي بعِيرَهُ ـ مِنَ النَّبِيِّ ﷺ وَاشْتَرَطْتُ حُمْلاَنَهُ إِلَى أَهْلِي، قَالَ فِي آخِرِهِ: «**تُرَانِي إِنَّمَا مَاكَسْتُكَ لأَذْهَبَ بِجَمَلِكَ؟ خُذْ جَمَلَكَ وَثَمَنَهُ فَهُمَا لَكَ**».

[72] The Right Of Returning Back The Slaves

3506- It is narrated on the authority of Samurah Ibn Jundub that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The right of returning back the slaves is effective for (no more than) three days" (during which the purchaser can return the slave to the seller once he finds out a defect in him).

3507- The same is narrated on the authority of Qatadah, through the same chain of transmitters, with the following addition: "If he (the purchaser) finds during those three nights a defective in the male or female slave he has bought, and the seller stipulates no condition of freedom from defects, he has the right to return him (or her), with no need to provide evidence (to affirm his claim); and if he finds the defect after the three nights, he should be required to provide evidence that he had purchased him (or her) with such a defect."

Abu Dawud says: This explanatory addition belongs to the speech of Qatadah himself.

[73] When One Buys A Slave And Utilizes Him, And Then Detects A Fault In Him

3508- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whatever benefits (a purchaser gets from anything he buys) is due (to the purchaser) because of his surety (for the purchased thing in the period it remains in his possession)."

3509- It is narrated on the authority of Makhlad Ibn Khufaf Al-Ghifari that he said: Both I and Anas Ibn Malik had a slave jointly owned by us; and I utilized him when he was absent, and he yielded some profit for me, thereupon he (Anas) disputed with me over his portion, and appealed to a judge to settle the dispute between us, and the judge ordered me to return (his portion of) the profit to him. I went to Urwah Ibn Az-Zubair, and made a mention of that to him, and he came to him, and narrated to him from A'ishah from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "Whatever benefits (a purchaser gets from anything he buys) is due (to the purchaser) because of his surety (for the purchased thing in the period it remains in his possession)."

3510- It is narrated on the authority of A'ishah that a man purchased a slave, and he stayed with him as long as Allah Almighty willed him to stay, and then he detected a fault in him, and he appealed to the Messenger of Allah "Allah's blessing and peace be upon him" to judge between him and

[ت72/م70] ـ باب في عُهدة الرقيق

3506 ـ حدّثنا مُسْلِمُ بنُ إبْرَاهِيمَ: حدَّثنا أَبَانُ، عن قَتَادَةَ، عن الْحَسَنِ، عن عُقْبَةَ بنِ عَامِرٍ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**عُهْدَةُ الرَّقِيقِ ثَلاثَةُ أَيَّامٍ**».

3507 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ: حَدَّثَنِي عَبْدُ الصَّمَدِ: حدَّثنا هَمَّامٌ، عن قَتَادَةَ بِإِسْنَادِهِ وَمَعْنَاهُ. زَادَ: إِنْ وَجَدَ دَاءً فِي الثَّلاَثِ لَيَالِيَ رُدَّ بِغَيْرِ بَيِّنَةٍ، وَإِنْ وَجَدَ دَاءً بَعْدَ الثَّلاَثِ كُلِّفَ الْبَيِّنَةَ أَنَّهُ اشْتَرَاهُ وَبِهِ هَذَا الدَّاءُ.

قال أَبُو دَاوُدَ: هَذَا التَّفْسِيرُ مِنْ كَلاَمِ قَتَادَةَ.

[ت73/م71] ـ باب فيمن اشترى عبدًا فاستعمله ثم وجد به عيبًا

3508 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا ابنُ أَبِي ذِئْبٍ، عن مَخْلَدِ بنِ خُفَافٍ، عن عُرْوَةَ، عن عَائِشَةَ رضي اللَّهُ عنها قالَتْ: قالَ رَسُولُ اللَّهِ ﷺ: «**الْخَرَاجُ بالضَّمَانِ**».

3509 ـ حدّثنا مَحْمُودُ بنُ خَالِدٍ: حدَّثنا الْفِرْيَابِيُّ، عن سُفْيَانَ، عن مُحَمَّدِ بنِ عَبْدِ الرَّحْمَنِ، عن مَخْلَدِ بنِ خُفَافٍ الْغِفَارِيِّ قال: كَانَ بَيْنِي وَبَيْنَ أُنَاسٍ شَرِكَةٌ فِي عَبْدٍ فَاقْتَوَيْتُهُ وَبَعْضُنَا غَائِبٌ، فَأَغَلَّ عَلَيَّ غَلَّةً فَخَاصَمَنِي فِي نَصِيبِهِ إِلَى بَعْضِ الْقُضَاةِ، فَأَمَرَنِي أَنْ أَرُدَّ الْغَلَّةَ، فَأَتَيْتُ عُرْوَةَ بنَ الزُّبَيْرِ فَحَدَّثْتُهُ فَأَتَاهُ عُرْوَةُ فَحَدَّثَهُ، عن عَائِشَةَ، عن رَسُولِ اللَّهِ ﷺ قال: «**الْخَرَاجُ بالضَّمَانِ**».

3510 ـ حدّثنا إِبْرَاهِيمُ بنُ مَرْوَانَ: حدَّثنا أَبِي: حدَّثنا مُسْلِمُ بنُ خَالِدٍ الزَّنْجِيُّ، أخبرنا هِشَامُ بنُ عُرْوَةَ، عن أَبِيهِ، عن عَائِشَةَ رضي اللَّهُ عنها: أَنَّ رَجُلاً ابْتَاعَ غُلاَمًا فَأَقَامَ عِنْدَهُ مَا شَاءَ اللَّهُ أَنْ يُقِيمَ ثُمَّ وَجَدَ بِهِ

the seller, and the Messenger of Allah "Allah's blessing and peace be upon him" brought him (the slave) back (to the seller). The seller said: "O Messenger of Allah! He has utilized my slave." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whatever benefits (a purchaser gets from anything he buys) is due (to the purchaser) because of his surety (for the purchased thing in the period it remains in his possession)."

[74] When Both Parties Of Transaction Differ, Even Though The Deal Is Still Standing

3511- It is narrated on the authority of Abd Ar-Rahman Ibn Qais Ibn Muhammad Ibn Al-Ash'ath from his father from his grandfather that he said: Al-Ash'ath purchased from Abdullah Ibn Mas'ud many slaves belonging to the one-fifth (of the booty), and when Abdullah Ibn Mas'ud sent to Al-Ash'ath for the price, he said: "Indeed, I've purchased them only for ten thousand." Abdullah said: "Then, choose a man to judge between you and I." Al-Ash'ath said: "You are to judge between I and you." Abdullah said to him: "Verily, I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "When both parties involved in the transaction differ, and there is no clear evidence (to settle the matter), and the deal is still standing, the (right of) suggestion should be for the seller, otherwise, the bargain should be cancelled.""

3512- It is narrated on the authority of Muhammad Ibn Al-Ash'ath that Ibn Mas'ud sold many slaves to Al-Ash'ath...and the rest is the same, with a slight additions and omissions.

[75] What About (The Right Of) Pre-Emption

3513- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The (right of) pre-emption is effective in every joint property, say a house, a garden, etc, in such a way that it is not fitting for anyone to sell (his portion) until he informs his partner; and if he (intends to sell) he (the partner) has more claim (to purchase it) unless he notifies him (he has no desire for it)."

3514- It is narrated on the authority of Jabir Ibn Abdullah that he said: Allah's Apostle "Allah's blessing and peace be upon him" gave pre-emption (to the partner) in every joint property; but if the boundaries of the property were demarcated or the ways and streets were fixed, then there would be no pre-emption.

عَيْبًا فَخَاصَمَهُ إِلَى النَّبِيِّ ﷺ، فَرَدَّهُ عَلَيْهِ، فَقَالَ الرَّجُلُ: يَا رَسُولَ اللَّهِ قَدِ اسْتَغَلَّ غُلاَمِي، فَقَالَ رَسُولُ اللَّهِ ﷺ: **«الْخَرَاجُ بِالضَّمَانِ»**.

قال أَبُو دَاوُدَ: هَذَا إِسْنَادٌ لَيْسَ بِذَاكَ.

[ت74/م72] - باب إذا اختلف البيِّعان، والمبيع قائم

3511 - حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَارِسَ: حدَّثنا عُمَرُ بنُ حَفْصِ بنِ غِيَاثٍ: حدَّثنا أَبِي، عن أَبِي عُمَيْس قالَ: أَخبرَني عَبْدُ الرَّحْمَنِ بنُ قَيْسِ بنِ مُحَمَّدِ بنِ الأَشْعَثِ، عن أَبِيهِ، عن جَدِّهِ قال: اشْتَرَى الأَشْعَثُ رَقِيقًا مِنْ رَقِيقِ الْخُمُسِ مِنْ عَبْدِ اللَّهِ بِعِشْرِينَ أَلْفًا، فَأَرْسَلَ عَبْدُ اللَّهِ إِلَيْهِ فِي ثَمَنِهِمْ، فَقالَ: إِنَّمَا أَخَذْتُهُمْ بِعَشْرَةِ آلاَفٍ، فَقَالَ عَبْدُ اللَّهِ: فَاخْتَرْ رَجُلاً يَكُونُ بَيْنِي وَبَيْنَكَ. قالَ الأَشْعَثُ: أَنْتَ بَيْنِي وَبَيْنَ نَفْسِكَ. قالَ عَبْدُ اللَّهِ: فَإِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«إِذَا اخْتَلَفَ الْبَيِّعَانِ وَلَيْسَ بَيْنَهُمَا بَيِّنَةٌ فَهُوَ مَا يَقُولُ رَبُّ السِّلْعَةِ أَوْ يَتَتَارَكَانِ»**.

3512 - حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ: حدَّثنا هُشَيْمٌ، أخبرنا ابنُ أَبِي لَيْلَى، عن الْقَاسِمِ بنِ عَبْدِ الرَّحْمَنِ، عن أَبِيهِ: أَنَّ ابنَ مَسْعُودٍ بَاعَ مِنَ الأَشْعَثِ بنِ قَيْسٍ رَقِيقًا فَذَكَرَ مَعْنَاهُ وَالْكَلاَمُ يَزِيدُ وَيَنْقُصُ.

[ت75/م73] - باب في الشُّفعة

3513 - حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا إِسْمَاعِيلُ بنُ إِبْرَاهِيمَ، عن ابنِ جُرَيْجٍ، عن أَبِي الزُّبَيْرِ، عن جَابِرٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«الشُّفْعَةُ فِي كُلِّ شِرْكٍ رَبْعَةٍ أَوْ حَائِطٍ، لاَ يَصْلُحُ أَنْ يَبِيعَ حَتَّى يُؤْذِنَ شَرِيكَهُ، فَإِنْ بَاعَ فَهُوَ أَحَقُّ بِهِ حَتَّى يُؤْذِنَهُ»**.

3514 - حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ، عن الزُّهْرِيِّ، عن أَبِي سَلَمَةَ بنِ عَبْدِ الرَّحْمَنِ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: «إِنَّمَا جَعَلَ رَسُولُ اللَّهِ ﷺ الشُّفْعَةَ فِي كُلِّ مَالٍ لَمْ يُقْسَمْ، فَإِذَا وَقَعَتِ الْحُدُودُ وَصُرِفَتِ الطُّرُقُ فَلاَ شُفْعَةَ».

3515- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If the land was divided, and demarcated, then, no (right of) pre-emption should be valid in it."

3516- It is narrated on the authority of Abu Rafi' that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "A neighbour has more right to get what is close to him (if it is intended to be sold)."

3517- It is narrated on the authority of Samurah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "A house's neighbour has more claim over the house or land of his neighbour (in case it is intended to be sold)."

3518- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "A neighbour has more right of the pre-emption, therewith he should be waited even though he is absent, particularly if they are partners in the same street."

[76] When One Becomes Bankrupt (And Sells His Things), And Another Finds His Very Things With Him

3519- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If a man finds his very things with a bankrupt, he has more right to take them back than anyone else."

3520- It is narrated on the authority of Abu Bakr Ibn Abd Ar-Rahman Ibn Al-Harith Ibn Hisham that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If one sells a thing, and then he finds his very thing in the possession of a bankrupt person (to whom he has sold it) and has not yet received anything of the price, it should be brought back to him; and if the purchaser dies, then, the seller of the things should be dealt with like the creditors."

3521- It is narrated on the authority of Abu Bakr Ibn Abd Ar-Rahman Ibn Al-Harith Ibn Hisham that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said...and he mentioned the same, with the following addition: "And if he has received anything of the price, then, he should be dealt with like the creditors."

3522- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said the

3515 - حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَارِسَ: حدَّثنا الْحَسَنُ بنُ الرَّبِيعِ: حدَّثنا ابنُ إِدْرِيسَ، عن ابنِ جُرَيْجٍ، عن ابن شهاب، عن أَبِي سَلَمَةَ، أَوْ عَنْ سَعِيدِ بنِ الْمُسَيَّبِ، أَوْ عَنْهُمَا جمِيعًا، عن أَبِي هُرَيْرَةَ قال: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِذَا قُسِمَتِ الأَرْضُ وَحُدَّتْ فَلَا شُفْعَةَ فِيهَا»**.

3516 - حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ: حدَّثنا سُفْيَانُ، عن إِبْرَاهِيمَ بنِ مَيْسَرَةَ، سَمِعَ عَمْرَو بنَ الشَّرِيدِ، سَمِعَ أَبَا رَافِعٍ، سَمِعَ النَّبِيَّ ﷺ يَقُولُ: **«الْجَارُ أَحَقُّ بِسَقَبِهِ»**.

3517 - حدّثنا أَبُو الْوَلِيدِ الطَّيَالِسِيُّ: حدَّثنا شُعْبَةُ، عن قَتَادَةَ، عن الْحَسَنِ، عن سَمُرَةَ، عن النَّبِيِّ ﷺ قال: **«جَارُ الدَّارِ أَحَقُّ بِدَارِ الْجَارِ أَوْ الأَرْضِ»**.

3518 - حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا هُشَيْمٌ، أَخبرنَا عَبْدُ المَلِكِ، عن عَطَاءٍ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«الْجَارُ أَحَقُّ بِشُفْعَةِ جَارِهِ يُنْتَظَرُ بِهَا وَإِنْ كَانَ غَائِبًا إِذَا كَانَ طَرِيقُهُمَا وَاحِدًا»**.

[ت76/م74] - باب في الرجل يُفْلِسُ فيجد الرجل متاعه بعينه عنده

3519 - حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ. (ح)، وحدَّثنا النُّفَيْلِيُّ: حدَّثنا زُهَيْرٌ، المَعْنَى، عن يَحْيَى بنِ سَعِيدٍ، عن أَبِي بَكْرِ بنِ مُحَمَّدِ بنِ عَمْرِو بنِ حَزْمٍ، عن عُمَرَ بنِ عَبْدِ العَزِيزِ، عن أَبِي بَكْرِ بنِ عَبْدِ الرَّحْمَنِ، عن أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: **«أَيُّمَا رَجُلٍ أَفْلَسَ فَأَدْرَكَ الرَّجُلُ مَتَاعَهُ بِعَيْنِهِ فَهُوَ أَحَقُّ بِهِ مِنْ غَيْرِهِ»**.

3520 - حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عن ابنِ شِهَابٍ، عن أَبِي بَكْرِ بنِ عَبْدِ الرَّحْمَنِ بنِ الْحَارِثِ بنِ هِشَام أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: **«أَيُّمَا رَجُلٍ بَاعَ مَتَاعًا فَأَفْلَسَ الَّذِي ابْتَاعَهُ وَلَمْ يَقْبِضِ الَّذِي بَاعَهُ مِنْ ثَمَنِهِ شَيْئًا فَوَجَدَ مَتَاعَهُ بِعَيْنِهِ فَهُوَ أَحَقُّ بِهِ، وَإِنْ مَاتَ الْمُشْتَرِي فَصَاحِبُ الْمَتَاعِ أُسْوَةُ الْغُرَمَاءِ»**.

3521 - حدّثنا مُحَمَّدُ بنُ عَوْفٍ الطَّائِيُّ: حدَّثنا عَبْدُ اللَّهِ بنُ عَبْدِ الْجَبَّارِ - يَعْنِي الْخَبَايِرِيَّ -: حدَّثنا إِسْمَاعِيلُ - يَعْنِي ابنَ عَيَّاشٍ -، عن الزُّبَيْدِيِّ، قالَ أَبُو دَاوُدَ: وَهُوَ مُحَمَّدُ بنُ الْوَلِيدِ أَبُو الْهُذَيْلِ الْحِمْصِيُّ، عَنِ الزُّهْرِيِّ، عن أَبِي بَكْرِ بنِ عَبْدِ الرَّحْمَنِ، عن أَبِي هُرَيْرَةَ، عن النَّبِيِّ ﷺ نَحْوَهُ، قالَ: **«فَإِنْ كَانَ قَضَاهُ مِنْ ثَمَنِهِ شَيْئًا فَمَا بَقِيَ فَهُوَ أُسْوَةُ الْغُرَمَاءِ، وَأَيُّمَا امْرِئٍ هَلَكَ وَعِنْدَهُ مَتَاعُ امْرِئٍ بِعَيْنِهِ اقْتَضَى مِنْهُ شَيْئًا أَوْ لَمْ يَقْتَضِ فَهُوَ أُسْوَةُ الْغُرَمَاءِ»**.

3522 - حدّثنا سُلَيْمَانُ بنُ دَاوُدَ: أخبرنا عَبْدُ اللَّهِ - يَعْنِي ابنَ وَهْبٍ -، أخبرَنِي يُونُسُ، عن ابنِ شِهَابٍ قال: أخبرني أَبُو بَكْرِ بنِ عَبْدِ الرَّحْمَنِ بنِ الْحَارِثِ بنِ هِشَامٍ أَنَّ

same, according to which he added: "If he has received anything of the price, he should be dealt with, as far as the remaining portion is concerned, like the other creditors; and if anyone dies, and he has the very things of another one, whether he has or has not received anything of the price, he should be dealt with like the other creditors."

3523- It is narrated on the authority of Umar Ibn Khaldah that he said: We came to Abu Hurairah (to seek his verdict) pertaining to a companion of ours who became bankrupt, thereupon Abu Hurairah said: Let me give him the same judgement which the Messenger of Allah "Allah's blessing and peace be upon him" passed: "If one becomes bankrupt or dies, the owner of the thing is more entitled to take it back in case he finds it (and he has not yet received anything of its price)."

[77] What About Such As Gives Life To An Impotent Mount

3524- It is narrated on the authority of Amir Ash-Sha'bi that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who finds a mount, whose lords have proved too powerless to provide fodder for it, and thus they have set it free, and he takes and gives life to it, it becomes his own." Ubaidullah said: I asked him: "From whom do you relate this narration?" he said: "From more than one from the companions of the Messenger of Allah "Allah's blessing and peace be upon him"."

3525- It is narrated on the authority of Ash-Sha'bi, tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him", that he said: "If one leaves a mount in a place of death, and another person finds and gives life to it, it should be for such as has given life to it."

[78] What About Mortgage

3526- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The milk (of the milch animal) might be drunk in return for spending (on the animal) in case it is mortgaged, and the mount might be ridden (by the mortgagee) in case it is mortgaged; and the spending on the animal is due upon such as rides and drinks."

3527- It is narrated on the authority of Umar Ibn Al-Khattab that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There are, from amongst Allah's servants, some with whom both the Prophets and witness martyrs are well-pleased." They said: "Who are they, O Messenger of Allah, perchance we might love them too?" he said: "They are a people, who love each other in (the religion of) Allah with no blood relation nor

رَسُولَ اللَّهِ ﷺ؛ فَذَكَرَ مَعْنَى حَدِيثِ مَالِكٍ. زَادَ: «**وَإِنْ كَانَ قَدْ قَضَى مِنْ ثَمَنِهَا شَيْئًا فَهُوَ أُسْوَةُ الْغُرَمَاءِ فِيهَا**».

قال أَبُو دَاوُدَ: حَدِيثُ مَالِكٍ أَصَحُّ.

3523 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ: حدَّثنا أَبُو دَاوُدَ ـ هُوَ الطَّيَالِسِيُّ ـ: حدَّثنا ابنُ أَبِي ذِئْبٍ، عن أَبِي المُعْتَمِرِ، عن عُمَرَ بنِ خَلْدَةَ قالَ: أَتَيْنَا أَبَا هُرَيْرَةَ فِي صَاحِبٍ لَنَا أَفلَسَ، فَقَالَ: لأَقْضِيَنَّ فِيكُمْ بِقَضَاءِ رَسُولِ اللَّهِ ﷺ: «**مَنْ أَفْلَسَ أَوْ مَاتَ فَوَجَدَ رَجُلٌ مَتَاعَهُ بِعَيْنِهِ فَهُوَ أَحَقُّ بِهِ**».

[ت77/م75] ـ باب فيمن أحيا حسيرًا

3524 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ. (ح)، وحدَّثنا مُوسَى: حدَّثنا أَبَانُ، عنْ عُبَيْدِ اللَّهِ بنِ حُمَيْدِ بنِ عَبْدِ الرَّحْمَنِ الْحِمْيَرِيِّ، عن الشَّعْبِيِّ، قال عن أبان: إنَّ عَامِرًا الشَّعْبِيَّ حَدَّثَهُ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**مَنْ وَجَدَ دَابَّةً قَدْ عَجَزَ عَنْهَا أَهْلُهَا أَنْ يَعْلِفُوهَا فَسَيَّبُوهَا فَأَخَذَهَا فَأَحْيَاهَا فَهِيَ لَهُ**».

قالَ فِي حَدِيثِ أَبَانَ: قالَ عُبَيْدُ اللَّهِ: فَقُلْتُ: عَمَّنْ؟ قالَ: عَنْ غَيْرِ وَاحِدٍ مِنْ أَصْحَابِ النَّبِيِّ ﷺ.

قال أَبُو دَاوُدَ: هَذَا حَدِيثُ حَمَّادٍ، وَهُوَ أَبْيَنُ وَأَتَمُّ.

3525 ـ حدّثنا مُحَمَّدُ بنُ عُبَيْدٍ، عن حَمَّادٍ ـ يَعْنِي ابنَ زَيْدٍ ـ، عن خَالِدٍ الْحَذَّاءِ، عن عُبَيْدِ اللَّهِ بنِ حُمَيْدِ بنِ عَبْدِ الرَّحْمَنِ، عنِ الشَّعْبِيِّ يَرْفَعُ الْحَدِيثَ إِلَى النَّبِيِّ ﷺ أَنَّهُ قالَ: «**مَنْ تَرَكَ دَابَّةً بِمَهْلَكَةٍ فَأَحْيَاهَا رَجُلٌ فَهِيَ لِمَنْ أَحْيَاهَا**».

[ت78/م76] ـ باب في الرَّهن

3526 ـ حدّثنا هَنَّادٌ، عن ابنِ المُبَارَكِ، عن زَكَرِيَّا، عن الشَّعْبِيِّ، عن أَبِي هُرَيْرَةَ، عن النَّبِيِّ ﷺ قالَ: «**لَبَنُ الدَّرِّ يُحْلَبُ بِنَفَقَتِهِ إِذَا كَانَ مَرْهُونًا، وَالظَّهْرُ يُرْكَبُ بِنَفَقَتِهِ إِذَا كَانَ مَرْهُونًا، وَعَلَى الَّذِي يَرْكَبُ وَيَحْلِبُ النَّفَقَةُ**».

قال أَبُو دَاوُدَ: هُوَ عِنْدَنَا صَحِيحٌ.

3527 ـ حدّثنا زُهَيْرُ بنُ حَرْبٍ وَعُثْمَانُ بنُ أَبِي شَيْبَةَ قالاَ: حدَّثنا جَرِيرٌ، عن عُمَارَةَ بنِ الْقَعْقَاعِ، عن أَبِي زُرْعَةَ بنِ عَمْرِو بنِ جَرِيرٍ أَنَّ عُمَرَ بنَ الْخَطَّابِ قالَ: قالَ النَّبِيُّ ﷺ: «**إِنَّ مِنْ عِبَادِ اللَّهِ لأُنَاسًا مَا هُمْ بِأَنْبِيَاءَ وَلاَ شُهَدَاءَ يَغْبِطُهُمُ الأَنْبِيَاءُ وَالشُّهَدَاءُ يَوْمَ الْقِيَامَةِ بِمَكَانِهِمْ مِنَ اللَّهِ تَعَالَى**». قَالُوا: يَا رَسُولَ اللَّهِ تُخْبِرُنَا مَنْ هُمْ؟ قالَ: «**هُمْ قَوْمٌ تَحَابُّوا بِرُوحِ اللَّهِ عَلَى غَيْرِ أَرْحَامٍ بَيْنَهُمْ وَلاَ أَمْوَالٍ يَتَعَاطَوْنَهَا، فَوَاللَّهِ**

mutual interests (to prompt them to do so), whose faces will be of light on pulpits of light, who never fear when the people fear, nor shall they grieve when the people grieve." Then, he recited Allah's saying: "Behold! Verily on the friends of Allah there is no fear, nor shall they grieve."

[79] When One Eats Out O F The Property Of His Offspring

3528- It is narrated on the authority of Imarah Ibn Umair from his paternal aunt that she asked A'ishah: "I have an orphan (who is my child) under my guardianship: is it lawful for me to eat out of his property?" on that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The best (and most lawful) thing one ever eats is that which is gained from (the labour of) his own hand; and one's child (along with his property) is out of such earnings of him."

3529- It is narrated on the authority of Imarah Ibn Umair from his mother that A'ishah said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "One's offspring are out of his earnings, of the best of his earnings: so, (it is lawful for you to) eat out of their property."

Abu Dawud says: In the narration of Hammad Ibn Sulaiman, there is the following addition: "In case you are in need of it." But this statement is false.

3530- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that a man came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I have got property and offspring, and my father takes hold of my property." On that he said: "Both you and your own property belong to your father: No doubt, your offspring are out of the best of your earnings: so, (it is lawful for you to) eat out of the property of your offspring."

[80] When One Finds His Own Property With Another

3531- It is narrated on the authority of Samurah Ibn Jundub that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who finds his own property with another person (who has usurped it illegally), has more right to get it even if it has been sold (and its price has been paid)."

[81] When One Takes His Right From Another

3532- It is narrated on the authority of A'ishah that Hind, the mother of Mu'awiyah, came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "Abu Sufyan (my husband) is a niggard, and he never gives me what is sufficient for the spending of me and my

إِنَّ وُجُوهَهُمْ لَنُورٌ وَإِنَّهُمْ عَلَى نُورٍ، لاَ يَخَافُونَ إِذَا خَافَ النَّاسُ، وَلاَ يَحْزَنُونَ إِذَا حَزِنَ النَّاسُ»، وَقَرَأَ هَذِهِ الآيَةَ: ﴿أَلَآ إِنَّ أَوْلِيَآءَ ٱللَّهِ لَا خَوْفٌ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ ﴿٦٢﴾﴾ [يونس: 62].

[ت79/م77] ـ باب في الرجل يأكل من مال ولده

3528 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ، أخبرنا سُفْيَانُ، عن مَنْصُورٍ، عن إِبْرَاهِيمَ، عن عُمَارَةَ بنِ عُمَيْرٍ، عن عَمَّتِهِ: أَنَّهَا سَأَلَتْ عَائِشَةَ رضي اللّه عنها: فِي حِجْرِي يَتِيمٌ أَفَآكُلُ مِنْ مَالِهِ؟ فَقَالَتْ: قالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ مِنْ أَطْيَبِ مَا أَكَلَ الرَّجُلُ مِنْ كَسْبِهِ، وَوَلَدُهُ مِنْ كَسْبِهِ**».

3529 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ عُمَرَ بنِ مَيْسَرَةَ وَعُثْمَانُ بنُ أَبِي شَيْبَةَ، المَعْنَى، قالاَ: حدَّثنا مُحَمَّدُ بنُ جَعْفَرٍ، عن شُعْبَةَ، عن الْحَكَمِ، عن عُمَارَةَ بنِ عُمَيْرٍ، عن أُمِّهِ، عن عَائِشَةَ، عن النَّبِيِّ ﷺ أَنَّهُ قالَ: «**وَلَدُ الرَّجُلِ مِنْ كَسْبِهِ مِنْ أَطْيَبِ كَسْبِهِ فَكُلُوا مِنْ أَمْوَالِهِمْ**».

قال أَبُو دَاوُدَ: حَمَّادُ بنُ أَبِي سُلَيْمَانَ زَادَ فِيهِ: «**إِذَا احْتَجْتُمْ**» وَهُوَ مُنْكَرٌ.

3530 ـ حدّثنا مُحَمَّدُ بنُ المِنْهَالِ: حدّثنا يَزِيدُ بنُ زُرَيْعٍ: حدَّثنا حَبِيبٌ المُعَلِّمُ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ: أَنَّ رَجُلاً أَتَى النَّبِيَّ ﷺ فَقَالَ: يَا رَسُولَ اللَّهِ إِنَّ لِيَ مَالاً وَوَلَدًا، وَإِنَّ وَالِدِي يَجْتَاحُ مَالِي، قالَ: «**أَنْتَ وَمالُكَ لِوَالِدِكَ، إِنَّ أَوْلاَدَكُمْ مِنْ أَطْيَبِ كَسْبِكُمْ فَكُلُوا مِنْ كَسْبِ أَوْلاَدِكُمْ**».

[ت80/م78] ـ باب في الرجل يجد عين ماله عند رجل

3531 ـ حدّثنا عَمْرُو بنُ عَوْنٍ: أخبرنا هُشَيْمٌ، عن مُوسَى بنِ السَّائِبِ، عن قَتَادَةَ، عن الْحَسَنِ، عن سَمُرَةَ بنِ جُنْدَبٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ وَجَدَ عَيْنَ مَالِهِ عِنْدَ رَجُلٍ فَهُوَ أَحَقُّ وَيَتَّبِعُ الْبَيِّعُ مَنْ بَاعَهُ**».

[ت81/م79] ـ باب في الرجل يأخذ حقَّه من تحت يده

3532 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا زُهَيْرٌ: حدَّثنا هِشَامُ بنُ عُرْوَةَ، عن عُرْوَةَ، عن عَائِشَةَ: أَنَّ هِنْدًا أُمَّ مُعَاوِيَةَ جَاءَتْ رَسُولَ اللَّهِ ﷺ فَقَالَتْ: إِنَّ أَبَا سُفْيَانَ رَجُلٌ شَحِيحٌ، وَإِنَّهُ لاَ يُعْطِينِي مَا يَكْفِينِي وَبَنِيَّ، فَهَلْ عَلَيَّ جُنَاحٌ أَنْ آخُذَ مِنْ مَالِهِ

offspring: is there harm on me to take anything from his property?" he said: "Take what is sufficient for the spending of both you and your offspring, but fairly and reasonably."

3533- It is narrated on the authority of A'ishah that Hind (the wife of Abu Sufyan) came to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "Abu Sufyan (my husband) is stingy: is there blame on me to (take and) spend on his dependents out of his property without his leave?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no blame on you to (take out of his property and) spend fairly and reasonably."

3534- It is narrated on the authority of Yusuf Al-Makki that he said: I was scribing the spending of many orphans under the guardianship of a man, and they took one thousand Dirhams from him by mistake, and he gave it to them. I detected as much as twice like it from their property, thereupon I said to him: "Take hold of the one thousand (Dirhams) which they have taken from you by mistake." On that he said: "No. indeed, my father told me that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Fulfill the trust to such as entrusts you with it, and do not betray such as betrays you."

3535- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Fulfill the trust to such as entrusts you with it, and do not betray such as betrays you."

[82] What About Accepting The Present?

3536- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" used to accept the present, and give reward for it.

3537- It is narrated on the authority of Abu Hurairah that he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "By Allah, from this time on, I will never accept a present but from a Muhajir (Emigrant) belonging to the Quraish (people), an Ansari person, a person belonging to (the tribe of) Daws (in Yemen), or a person belonging to (the tribe of) Thaqif."

[83] What About Taking Back The Gift?

3538- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said:

شَيْئًا؟ قالَ: «**خُذِي مَا يَكْفِيكِ وَبَنِيكِ بالمَعْرُوفِ**».

3533 - حدّثنا خُشَيْشُ بنُ أَصْرَمَ: حدَّثنا عَبْدُ الرَّزَّاقِ: أخبرنا مَعْمَرٌ، عن الزُّهْرِيِّ، عن عُرْوَةَ، عن عَائِشَةَ قالَتْ: جَاءَتْ هِنْدٌ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: يَا رَسُولَ اللَّهِ إِنَّ أَبَا سُفْيَانَ رَجُلٌ مُمْسِكٌ، فَهَلْ عَلَيَّ مِنْ حَرَجٍ أَنْ أُنْفِقَ عَلَى عِيَالِهِ مِنْ مَالِهِ بِغَيْرِ إِذْنِهِ؟ فَقَالَ النَّبِيُّ ﷺ: «**لاَ حَرَجَ عَلَيْكِ أَنْ تُنْفِقِي بِالْمَعْرُوفِ**».

3534 - حدّثنا أَبُو كَامِلٍ أَنْ يَزِيدَ بنَ زُرَيْعٍ حَدَّثَهُمْ: حدَّثنا حُمَيْدٌ - يَعْنِي الطَّوِيلَ -، عن يُوسُفَ بنِ مَاهَكَ المَكِّيِّ قَالَ: كُنْتُ أَكْتُبُ لِفُلاَنٍ نفقَةَ أَيْتَام كَانَ وَلِيَّهُمْ، فَغَالَطُوهُ بِأَلْفِ دِرْهَم، فَأَدَّاهَا إِلَيْهِمْ فَأَدْرَكْتُ لَهُمْ مِنْ مَالِهِمْ مِثْلَيْهَا قَالَ قُلْتُ: اقْبِضْ الأَلْفَ الَّذِي ذَهَبُوا بِهِ مِنْكَ. قَالَ: لاَ؛ حَدَّثَنِي أَبِي أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**أَدِّ الأَمَانَةَ إِلَى مَنِ ائْتَمَنَكَ، وَلاَ تَخُنْ مَنْ خَانَكَ**».

3535 - حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ وَأَحْمَدُ بنُ إِبْرَاهِيمَ قالاَ: حدَّثنا طَلْقُ بنُ غَنَّامٍ، عن شَرِيكٍ قَالَ ابنُ الْعَلاَءِ: وَقَيْسٍ، عن أَبِي حُصَيْنٍ، عن أَبِي صَالِحٍ، عن أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**أَدِّ الامَانَةَ إِلَى مَنِ ائْتَمَنكَ، وَلاَ تَخُنْ مَنْ خَانَكَ**».

[ت82/م80] - باب في قبول الهدايا

3536 - حدّثنا عَلِيُّ بنُ بَحْرٍ وَعَبْدُ الرَّحِيمِ بنُ مُطَرِّفٍ الرُّؤَاسِيُّ قالاَ: حدَّثنا عِيسَى - هُوَ ابنُ يُونُسَ بنِ أَبِي إِسْحَاقَ السَّبِيعِيُّ -، عن هِشَامِ بنِ عُرْوَةَ، عن أَبِيهِ، عن عَائِشَةَ: أَنَّ النَّبِيَّ ﷺ كَانَ يَقْبَلُ الْهَدِيَّةَ وَيُثِيبُ عَلَيْهَا.

3537 - حدّثنا مُحَمَّدُ بنُ عَمْرٍو الرَّازِيُّ: حدَّثنا سَلَمَةُ - يَعْنِي ابنَ الْفَضْلِ -: حَدَّثَنِي مُحَمَّدُ بنُ إِسْحَاقَ، عن سَعِيدِ بنِ أَبِي سَعِيدٍ الْمَقْبُرِيِّ عن أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**وَأَيْمُ اللَّهِ لاَ أَقْبَلُ بَعْدَ يَوْمِي هَذَا مِنْ أَحَدٍ هَدِيَّةً، إِلاَّ أَنْ يَكُونَ مُهَاجِرًا قُرَشِيًّا أَوْ أَنْصَارِيًّا أَوْ دَوْسِيًّا أَوْ ثَقَفِيًّا**».

[ت83/م81] - باب الرجوع في الهبة

3538 - حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا أَبَانُ وَهَمَّامٌ وَشُعْبَةُ قالُوا: حدَّثنا قَتَادَةُ، عن سَعِيدِ بنِ الْمُسَيَّبِ، عن ابنِ عَبَّاسٍ، عن النَّبِيِّ ﷺ قالَ: «**الْعَائِدُ فِي**

"Such as takes back his gift is like him, who takes back (and swallows) his vomit."

Qatadah says: We do not know but that it is forbidden to take back (and eat) back the vomit.

3539- It is narrated on the authority of both Ibn Umar and Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "It is unlawful for anyone to take back what he gives as a gift, except when a father gives a gift to his son (for he has the right to take it back if he so likes). The example of such as takes back his gift is like the example of a dog, which eats, and when it is satisfied, it vomits, and then returns to eat its vomit once again."

3540- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The example of such as takes back his gift is like the example of a dog, which vomits, and then returns to eat its vomit once again. So, if a grantor of a gift takes back his gift, let him stop and know for which he has taken it back, and then let him give back what he has withdrawn."

[84] When A Present Is Offered With The Intention To Have A Need Fulfilled

3541- It is narrated on the authority of Abu Umamah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who intercedes for his brother, who, in turn, gives a present to him, and he (the former) accepts it, he, indeed, has come to open one of the big gates of usury."

[85] When A Man Favours Any Of His Children With A Gift

3542- It is narrated on the authority of An-Nu'man Ibn Bashir that he said: My father gave me as a gift some of his property, but my mother Amrah Bint Rawahah insisted that he should go and make Allah's Apostle "Allah's blessing and peace be upon him" a witness to it. So, my father went to Allah's Apostle "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I've given this An-Nu'man something as gift out of my property, and (my wife) Amrah Bint Rawahah asked me to come and make you witness to that. The Messenger of Allah "Allah's blessing and peace be upon him" said: "O Bashir! Do you have other sons besides him?" He said: "Yes." He asked: "Have you donated to all of them the like of that (you've donated to An-Nu'man)?" he replied in the negative. Upon this he (The Prophet) said: "This is injustice. Make somebody else a witness to

هِبَتِهِ كَالْعَائِدِ فِي قَيْئِهِ».

قالَ هَمَّامٌ: وَقَالَ قَتَادَةُ: وَلاَ نَعْلَمُ الْقَيْءَ إِلاَّ حَرَامًا.

3539 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَزِيدُ ـ يَعْنِي ابنَ زُرَيْعٍ ـ: حدَّثنا حُسَيْنٌ الـمُعَلِّمُ، عن عَمْرِو بنِ شُعَيْبٍ، عن طَاوُسٍ، عن ابنِ عُمَرَ وابنِ عَبَّاسٍ، عن النَّبِيِّ ﷺ قالَ: «**لاَ يَحِلُّ لِرَّجُلٍ أَنْ يُعْطِيَ الْعَطِيَّةَ أَوْ يَهَبَ هِبَةً فَيَرْجِعَ فِيهَا، إِلاَّ الْوَالِدَ فِيمَا يُعْطِي وَلَدَهُ، وَمَثَلُ الَّذِي يُعْطِي الْعَطِيَّةَ ثُمَّ يَرْجِعُ فِيهَا كَمَثَلِ الْكَلْبِ يَأْكُلُ، فَإِذَا شَبِعَ قَاءَ ثُمَّ عَادَ فِي قَيْئِهِ**».

3540 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ الـمَهْرِيُّ، أخبرنا ابنُ وهْب: أخبرني أُسَامَةُ بنُ زَيْدٍ أَنَّ عَمْرَو بنَ شُعَيْبٍ حَدَّثَهُ، عن أَبِيهِ، عن عَبْدِ اللَّهِ بنِ عَمْرٍو، عن رَسُولِ اللَّهِ قالَ: «**مَثَلُ الَّذِي يَسْتَرِدُّ مَا وَهَبَ كَمَثَلِ الْكَلْبِ يَقِيءُ فَيَأْكُلُ قَيْئَهُ، فَإِذَا اسْتَرَدَّ الْوَاهِبُ فَلْيُوَقَّفْ فَلْيُعَرَّفْ بِمَا اسْتَرَدَّ ثُمَّ لِيَدْفَعْ إِلَيْهِ مَا وَهَبَ**».

[ت84/م82] ـ باب في الهدية لقضاء الحاجة

3541 ـ حدّثنا أَحْمَدُ بنُ عَمْرِو بنِ السَّرْحِ: حدَّثنا ابنُ وَهْبٍ، عن عُمَرَ بنِ مَالِكٍ، عن عُبَيْدِ اللَّهِ بنِ أَبِي جَعْفَرٍ، عن خَالِدِ بنِ أَبِي عِمْرَانَ، عن الْقَاسِمِ، عن أَبِي أُمَامَةَ، عن النَّبِيِّ ﷺ قالَ: «**مَنْ شَفَعَ لأَخِيهِ بِشَفَاعَةٍ فَأَهْدَى لَهُ هَدِيَّةً عَلَيْهَا فَقَبِلَهَا فَقَدْ أَتَى بَابًا عَظِيمًا مِنْ أَبْوَابِ الرِّبَا**».

[ت85/م83] ـ باب في الرجل يُفَضِّل بعض ولده في النُّحل

3542 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا هُشَيْمٌ: أخبرنا سَيَّارٌ: وَأَخْبَرَنَا مُغِيرَةُ، وحدَّثنا دَاوُدُ، عن الشَّعْبِيِّ، وأَخبرنَا مُجَالِدٌ وَإِسْمَاعِيلُ بنُ سَالِمٍ، عن الشَّعْبِيِّ، عن النُّعْمَانِ بنِ بَشِيرٍ قال: أَنْحَلَنِي أَبِي نُحْلاً قالَ إِسْمَاعِيلُ بنُ سَالِمٍ مِنْ بَيْنِ الْقَوْمِ: نَحْلَةً غُلاَمًا لَهُ. قالَ: فَقَالَتْ لَهُ أُمِّي عَمْرَةُ بِنْتُ رَوَاحَةَ ائتِ رَسُولَ اللَّهِ ﷺ فَأَشْهِدْهُ، فَأَتَى النَّبِيَّ ﷺ فَذَكَرَ ذَلِكَ لَهُ. قال فَقَالَ لَهُ: إِنِّي نَحَلْتُ ابْنِي النعْمَانَ نُحْلاً وَإِنَّ عَمْرَةَ سَأَلَتْنِي أَنْ أُشْهِدَكَ عَلَى ذَلِكَ. قالَ: فَقَالَ: «**أَلَكَ وَلَدٌ سِوَاهُ؟**» قالَ: قُلْتُ: نَعَمْ، قالَ: «**فَكُلَّهُمْ أَعْطَيْتَ مِثْلَ مَا أَعْطَيْتَ النعْمَانَ؟**» قالَ: لاَ. قالَ: فَقَالَ بَعْضُ هَؤُلاَءِ الْمُحَدِّثِينَ: «**هَذَا جَوْرٌ**»، وَقَالَ بَعْضُهُمْ: «**هَذَا**

that." Then he (The Prophet) asked: "Would you be pleased that they should be equally dutiful to you?" he replied in the affirmative. Upon this he (The Prophet) said: "Then, do not (do such an act of donating to some children to the exclusion of the others)."

3543- It is narrated on the authority of An-Nu'man Ibn Bashir that his father gave him a slave as a gift, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" asked him: "What is this slave?" he said: "He is a slave whom my father has given as a gift." He asked: "Has you father given the same to all of your brothers?" he answered in the negative, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" ordered him to bring him back.

3544- It is narrated on the authority of An-Nu'man Ibn Bashir that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Be just to all of your children (and give no preference to anyone of them over the others)."

3545- It is narrated on the authority of Jabir that the wife of Bashir said to him: "Give my son (An-Nu'man) your slave as a gift, and make The Messenger of Allah "Allah's blessing and peace be upon him" a witness to that." He went to The Messenger of Allah "Allah's blessing and peace be upon him" and said: "(My wife) the daughter of so-and-so requested me to give her son (An-Nu'man) my slave as a gift, and told me to make The Messenger of Allah "Allah's blessing and peace be upon him" a witness to that." He (The Prophet) said: "Does he have brothers?" he replied in the affirmative. He said: "Have you given all of them the same as you've given him?" he replied in the negative. Upon this the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, such (a gift) is not valid, and I'm not to witness but to what is right."

[86] The Woman's Gift Without The Leave Of Her Husband

3546- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is impermissible for a woman to dispose of her own property in case she is under the guardianship of her husband (without his leave)."

3547- It is narrated on the authority of Abdullah Ibn Amr that the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is impermissible for a woman to give a gift without the leave of her husband."

تَلْجِئَةٌ فَأَشْهِدْ عَلَى هَذَا غَيْرِي»

قالَ مُغِيرَةُ فِي حَدِيثِهِ: «**أَلَيْسَ يَسُرُّكَ أَنْ يَكُونُوا لَكَ فِي الْبِرِّ وَاللُّطْفِ سَوَاءً؟**» قالَ: نَعَمْ، قال: «**فَأَشْهِدْ عَلَى هَذَا غَيْرِي**».

وَذَكَرَ مُجَالِدٌ فِي حَدِيثِهِ: «**إِنَّ لَهُمْ عَلَيْكَ مِنَ الْحَقِّ أَنْ تَعْدِلَ بَيْنَهُمْ، كَمَا أَنَّ لَكَ عَلَيْهِمْ مِنَ الْحَقِّ أَنْ يَبَرُّوكَ**».

قال أَبُو دَاوُدَ: فِي حَدِيثِ الزُّهْرِيِّ قال بَعْضُهُمْ: «**أَكُلَّ بَنِيكَ**» وَقَالَ بَعْضُهُمْ: «**وَلَدِكَ**»، وَقَالَ ابنُ أَبِي خَالِدٍ عن الشَّعْبِيِّ فِيهِ: «**أَلَكَ بَنُونَ سِوَاهُ؟**»، وَقَالَ أَبُو الضُّحَى، عن النُّعْمَانِ بنِ بَشِيرٍ: «**أَلَكَ وَلَدٌ غَيْرُهُ؟**».

3543 - حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا جَرِيرٌ، عن هِشَامِ بنِ عُرْوَةَ، عن أَبِيهِ قالَ: حَدَّثَنِي النُّعْمَانُ بنُ بَشِيرٍ قالَ: أَعْطَاهُ أَبُوهُ غُلاَمًا، فَقَالَ لَهُ رَسُولُ اللَّهِ ﷺ: «**مَا هَذَا الْغُلاَمُ؟**» قال: غُلاَمِي أَعْطَانِيهِ أَبِي، قالَ: «**فَكُلَّ إِخْوَتِكَ أَعْطَى كَمَا أَعْطَاكَ؟**» قالَ: لاَ، قالَ: «**فَارْدُدْهُ**».

3544 - حدّثنا سُلَيْمَانُ بنُ حَرْبٍ: حدَّثنا حَمَّادٌ، عن حَاجِبِ بنِ الْمُفَضَّلِ بنِ الْمُهَلَّبِ، عن أَبِيهِ قالَ: سَمِعْتُ النُّعْمَانَ بنَ بَشِيرٍ يَقُولُ: قالَ رَسُولُ اللَّهِ ﷺ: «**اعْدِلُوا بَيْنَ أَوْلاَدِكُمْ، اعْدِلُوا بَيْنَ أَبْنَائِكُمْ**».

3545 - حدّثنا مُحَمَّدُ بنُ رَافِعٍ: حدَّثنا يَحْيَى بنُ آدَمَ: حدَّثنا زُهَيْرٌ، عن أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ قالَ: قَالَتِ امْرَأَةُ بَشِيرٍ: انْحَلِ ابْنِي غُلاَمَكَ وَأَشْهِدْ لِي رَسُولَ اللَّهِ ﷺ، فَأَتَى رَسُولَ اللَّهِ ﷺ فَقَالَ: إِنَّ ابْنَةَ فُلاَنٍ سَأَلَتْنِي أَنْ أَنْحَلَ ابْنَهَا غُلاَمًا، فَقَالَتْ لِي: أَشْهِدْ رَسُولَ اللَّهِ ﷺ، فَقَالَ: «**لَهُ إِخْوَةٌ؟**» فَقَالَ: نَعَمْ، قال: «**فَكُلَّهُمْ أَعْطَيْتَ مِثْلَ مَا أَعْطَيْتَهُ؟**» قالَ: لاَ، قالَ: «**فَلَيْسَ يَصْلُحُ هَذَا، وَإِنِّي لاَ أَشْهَدُ إِلاَّ عَلَى الْحَقِّ**».

- حدَّثنا أَحْمَدُ بنُ يُونُس: حدَّثنا زُهَيْر: حدَّثنا عَبْدُ الله بنُ عطاء، عن عَبْدِ الله بن بُرَيْدَة، عن أبي بُريدة، أَنَّ امْرَأَةً أَتَتْ رَسُولَ الله ﷺ فقالت: «كُنْتُ تصدَّقتُ على أُمِّي بِوَلِيدة، وإِنَّهَا ماتَتْ وتَرَكَتْ تلك الوَلِيدَة»، قال: وذَكَرَ الحديث.

[ت86/م84] - باب في عطية المرأة بغير إذن زوجها

3546 - حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عَنْ دَاوُدَ بنِ أَبِي هِنْدٍ وَحَبِيبٍ الْمُعَلِّمِ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**لاَ يَجُوزُ لاِمْرَأَةٍ أَمْرٌ فِي مَالِهَا إِذَا مَلَكَ زَوْجُهَا عِصْمَتَهَا**».

3547 - حدّثنا أَبُو كَامِلٍ: حدَّثنا خَالِدٌ - يَعْنِي ابنَ الْحَارِثِ -: حدَّثنا حُسَيْنٌ، عن عَمْرِو بنِ شُعَيْبٍ أَنَّ أَبَاهُ أَخْبَرَهُ، عن عَبْدِ اللَّهِ بنِ عَمْرٍو أَنَّ رَسُولَ اللَّهِ ﷺ قال: «**لاَ يَجُوزُ لاِمْرَأَةٍ عَطِيَّةٌ إِلاَّ بِإِذْنِ زَوْجِهَا**».

[87] What About The Lifetime Gift?

(It is that a man gives a gift to another, stipulating the condition that it is for him as long as he is alive; and in some cases, it is made permanent, i.e. to be taken also by his offspring after his death)

3548- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The lifetime gift is permissible."

3549- A Hadith like this is narrated on the authority of Samurah from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

3550- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" said: "A lifetime gift should be for him, to whom it is granted."

3551- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If one gives a lifetime gift to a man and his offspring (after him), it then should be for such as to whom it is given and his offspring should inherit it (after him)."

3552- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" said the same.

Abu Dawud says: The same is narrated on the authority of Al-Laith from Az-Zuhri from Abu Salamah from Jabir.

[88] When One Says On Granting A Lifetime Gift "And It Should Go To His Offspring After Him"

3553- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is donated a permanent life gift along with his offspring, then it should belong to the donee, and should not return to the donator, because he has given it as a gift to which the (rules of) inheritance would apply."

3554- The same is narrated on the authority of Ibn Shihab, through another chain of transmitters.

3555- It is narrated on the authority of Jabir that he said: "The permanent gift sanctioned by The Messenger of Allah "Allah's blessing and peace be upon him" is that in which one says: "I gave that (property) to you and then to your offspring." But if one says: "That(property) is (a gift) for you as long as you live" then it would return to its donator (after the death of the donee)."

[ت87/م85] - باب في العُمْرَى

3548 - حدّثنا أَبُو الْوَلِيدِ الطَّيَالِسِيُّ: حدَّثنا هَمَّامٌ، عن قَتَادَةَ، عن النَّضرِ بنِ أَنَسٍ، عن بَشِيرِ بنِ نَهِيكٍ، عن أَبِي هُرَيْرَةَ، عن النَّبِيِّ ﷺ قالَ: «**الْعُمْرَى جَائِزَةٌ**».

3549 - حدّثنا أَبُو الْوَلِيدِ: حدَّثنا هَمَّامٌ، عن قَتَادَةَ، عن الْحَسَنِ، عن سَمُرَةَ، عن النَّبِيِّ ﷺ مِثْلَهُ.

3550 - حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا أَبَانُ، عن يَحْيَى، عن أَبِي سَلَمَةَ، عن جَابِرٍ أَنَّ نَبِيَّ اللَّهِ ﷺ كَانَ يَقُولُ: «**الْعُمْرَى لِمَنْ وُهِبَتْ لَهُ**».

3551 - حدّثنا مُؤَمَّلُ بنُ الْفَضْلِ الْحَرَّانِيُّ: حدَّثنا مُحَمَّدُ بنُ شُعَيْبٍ، أخبرني الأَوْزَاعِيُّ، عن الزُّهْرِيِّ، عن عُرْوَةَ، عن جَابِرٍ أَنَّ النَّبِيَّ ﷺ قالَ: «**مَنْ أُعْمِرَ عُمْرَى فَهِيَ لَهُ وَلِعَقِبِهِ، يَرِثُهَا مَنْ يَرِثُهُ مِنْ عَقِبِهِ**».

3552 - حدّثنا أَحْمَدُ بنُ أَبِي الْحَوَارِيِّ: حدَّثنا الْوَلِيدُ، عن الأَوْزَاعِيِّ، عن الزُّهْرِيِّ، عن أَبِي سَلَمَةَ وَعُرْوَةَ، عن جَابِرٍ، عن النَّبِيِّ ﷺ بِمَعْنَاهُ.

قال أَبُو دَاوُدَ: وَهَكَذَا رَوَاهُ اللَّيْثُ بنُ سعد، عَنِ الزُّهْرِيِّ، عنْ أَبِي سَلَمَةَ، عن جَابِرٍ.

[ت88/م86] - باب من قال فيه ولعقبه

3553 - حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَارِسٍ وَمُحَمَّدُ بنُ الْمُثَنَّى قالاَ: حدَّثنا بِشْرُ بنُ عُمَرَ: حدثنا مَالِكٌ - يَعْنِي ابنَ أَنَسٍ -، عن ابنِ شِهَابٍ، عن أَبِي سَلَمَةَ، عن جَابِرِ بنِ عَبْدِ اللَّهِ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**أَيُّمَا رَجُلٍ أُعْمِرَ عُمْرَى لَهُ وَلِعَقِبِهِ فَإِنَّهَا لِلَّذِي يُعْطَاهَا، لاَ تَرْجِعُ إِلَى الَّذِي أَعْطَاهَا، لأَنَّهُ أَعْطَى عَطَاءً وَقَعَتْ فِيهِ الْمَوَارِيثُ**».

3554 - حدّثنا حَجَّاجُ بنُ أَبِي يَعْقُوبَ حدَّثنا يعقوب: حدَّثنا أَبِي، عَنْ صَالِحٍ، عنْ ابنِ شِهَابٍ بِإِسْنَادِهِ وَمَعْنَاهُ.

قال أَبُو دَاوُدَ: وَكَذَلِكَ رَوَاهُ عُقَيلٌ، عن ابنِ شِهَابٍ وَيَزِيدُ بنُ أَبِي حَبِيبٍ، عن ابنِ شِهَابٍ عَلَى هَذَا اللفظ على قول أهل المدينة، واخْتُلِفَ عَلَى الأَوْزَاعِيِّ، عن ابنِ شِهَابٍ في لَفْظِهِ وَرَوَاهُ فُلَيْحُ بنُ سُلَيْمَانَ مِثْلَ حديث مالك.

3555 - حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ، عن الزُّهْرِيِّ، عن أَبِي سَلَمَةَ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قال: إِنَّمَا الْعُمْرَى الَّتِي أَجَازَهَا رَسُولُ اللَّهِ ﷺ أَنْ يَقُولَ: «هِيَ لَكَ وَلِعَقِبِكَ» فَأَمَّا إِذَا قالَ: هِيَ لَكَ مَا عِشْتَ فَإِنَّهَا تَرْجِعُ إِلَى صَاحِبِهَا.

3556- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Do not give a Gift In Connection With Which Watching Death Is Observed, nor a permanent gift, and if anyone gives such a gift as in connection with which watching death is observed, or a (permanent) lifetime gift, it should go to his heirs."

3557- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" passed his judgement pertaining to a woman who had been granted a garden of date-palms by one of her sons, and then she died, thereupon her son said: "I've granted it to her only during her lifetime." He had brothers, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "It belongs to her during her lifetime and after her death (in the sense that it should go to her heirs)." The man said: "Then, I've given it to her in charity." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, it is more inconvenient to you (to take it back)."

[89] What About The Gift In Connection With Which Watching Death Is Observed

(This kind of giving is that a man says to another: Get benefit from this thing of me, and if I die before you, it should be for you; and if you die before me, it should be brought back to me. In this case, each of them watches (and expects) the death of the other.)

3558- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The gift in connection with which watching death is observed is permissible for such as given it (to accept); and the lifetime gift is also permissible for such as given it (to accept)."

3559- It is narrated on the authority of Zaid Ibn Thabit that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is given a (permanent) lifetime gift, it should be for him during his lifetime and after his death; and no gift in connection with which watching death is observed is (fitting for the interests of the people); and if one is given such, it should be for him during his lifetime and after his death."

3560- It is narrated on the authority of Mujahid that he said: The (permanent) lifetime gift is that a man says to the other: "Let it (the granted property) be for you as long as you are living." Once he says so, it becomes

3556 - حدّثنا إِسْحَاقُ بنُ إِسْمَاعِيلَ: حدَّثنا سُفْيَانُ، عن ابنِ جُرَيْجٍ، عن عَطَاءٍ، عن جَابِرٍ أَنَّ النَّبِيَّ ﷺ قالَ: «**لاَ تُرْقِبُوا، وَلاَ تُعْمِرُوا، فَمَنْ أَرْقَبَ شَيْئًا أَوْ أَعْمَرَهُ فَهُوَ لِوَرَثَتِهِ**».

3557 - حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا مُعَاوِيَةُ بنُ هِشَامٍ: حدَّثنا سُفْيَانُ، عن حَبِيبٍ - يَعْنِي ابنَ أَبِي ثَابِتٍ -، عن حُمَيْدٍ الأَعْرَجِ، عن طَارِقٍ المَكِّيِّ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قال: قَضَى رَسُولُ اللَّهِ ﷺ فِي امْرَأَةٍ مِنَ الأَنْصَارِ أَعْطَاهَا ابْنُهَا حَدِيقَةً مِنْ نَخْلٍ فَمَاتَتْ فَقَالَ ابْنُهَا: إِنَّمَا أُعْطِيْتُها حَيَاتَهَا وَلَهُ إِخْوَةٌ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**هِيَ لَهَا حَيَاتَهَا وَمَوْتَهَا**». قالَ: كُنْتُ تَصَدَّقْتُ بِهَا عَلَيْهَا. قالَ: «**ذَلِكَ أَبْعَدُ لَكَ**».

[ت89/م87] - باب في الرُّقبى

3558 - حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا هُشَيْمٌ: حدَّثنا دَاوُدُ، عن أَبِي الزُّبَيْرِ، عن جَابِرٍ قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**الْعُمْرَى جَائِزَةٌ لأَهْلِهَا، وَالرُّقْبَى جَائِزَةٌ لأَهْلِهَا**».

3559 - حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ قالَ: قَرَأْتُ عَلَى مَعْقِلٍ، عن عَمْرِو بنِ دِينَارٍ، عن طَاوُسٍ، عن حُجْرٍ، عن زَيْدِ بنِ ثَابِتٍ قال: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ أَعْمَرَ شَيْئًا فَهُوَ لِمُعْمَرِهِ مَحْيَاهُ وَمَمَاتَهُ، وَلاَ تُرْقِبُوا فَمَنْ أَرْقَبَ شَيْئًا فَهُوَ سَبِيلُهُ**».

3560 - حدّثنا عَبْدُ اللَّهِ بنُ الْجَرَّاحِ، عن عُبَيْدِ اللَّهِ بنِ مُوسَى، عن عُثْمَانَ بنِ الأَسْوَدِ، عن مُجَاهِدٍ قال: الْعُمْرَى أَنْ يَقُولَ الرَّجُلُ لِلرَّجُلِ: هُوَ لَكَ مَا عِشْتَ، فَإِذَا قَالَ ذَلِكَ فَهُوَ لَهُ وَلِوَرَثَتِهِ، وَالرُّقْبَى هُوَ أَنْ يَقُولَ الإِنْسَانُ:

his own property during his lifetime, and it goes to his heirs after his death. The gift in connection with which watching death is observed is that a man says to another: "This will be from me (to you as a gift) and from you (again to me) by the death (of any of us)."

[90] The Guarantee To Return The Borrowed Thing

3561- It is narrated on the authority of Samurah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The hand guarantees responsibility for what it takes until it is brought back." Al-Hasan added: "It is a trust for which there is no guarantee."

3562- It is narrated on the authority of Safwan Ibn Umayyah that the Messenger of Allah "Allah's blessing and peace be upon him" intended to borrow from him many armours on the day of (the holy battle of) Hunain, thereupon he said to him: "Are you going to take that from me against my will O Muhammad?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "No, but they will be taken by way of borrowing, with the guarantee (to be brought back to you)."

3563- It is narrated on the authority of Abd Al-Aziz Ibn Rufai', from one belonging to the family of Abdullah Ibn Safwan that on the day of (the holy battle of) Hunain, the Messenger of Allah "Allah's blessing and peace be upon him" asked Safwan Ibn Umayyah: "O Safwan! Do you have got weapons?" he said: "(Are you going to take them) against my well or by way of borrowing?" he said: "By way of borrowing." Safwan lent him thirty to forty armours, and after the Messenger of Allah "Allah's blessing and peace be upon him" had fought the holy battle of Hunain, and the pagans had been defeated, the armours of Safwan was collected and some of them were missing. The Messenger of Allah "Allah's blessing and peace be upon him" said to Safwan: "We've missed some of your armours: should we afford for them?" he said: "No O Messenger of Allah, for in my heart today (i.e. Islam which I've embraced) was not at that time (I gave you the armours)."

Abu Dawud says: Safwan gave him the armours by way of borrowing before his embracing Islam, and afterwards, he embraced Islam.

3564- It is narrated on the authority of Ata' from some people belonging to the offspring of Safwan that he said: The Messenger of Allah "Allah's blessing and peace be upon him" borrowed from Safwan...and the rest is the same.

3565- It is narrated on the authority of Abu Umamah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him"

هُوَ لِلآخِرِ مِنِّي وَمِنْكَ.

[ت90/م88] - باب في تضمين العارية

3561 - حدّثنا مُسَدَّدُ بنُ مُسَرْهَدٍ: حدَّثنا يَحيَى، عن ابنِ أَبِي عَرُوبَةَ، عن قَتَادَةَ، عن الْحَسَنِ، عن سَمُرَةَ، عن النَّبِيِّ ﷺ قالَ: «**عَلَى الْيَدِ مَا أَخَذَتْ حَتَّى تُؤَدِّيَ**»، ثُمَّ إِنَّ الْحَسَنَ نَسِيَ فَقَالَ: هُوَ أَمِينُكَ لاَ ضَمَانَ عَلَيْهِ.

3562 - حدّثنا الْحَسَنُ بنُ مُحَمَّدٍ وَسَلَمَةُ بنُ شَبِيبٍ قالاَ: حدَّثنا يَزِيدُ بنُ هَارُونَ، أخبرنا شَرِيكٌ، عن عَبْدِ الْعَزِيزِ بنِ رُفَيْعٍ، عن أُمَيَّةَ بنِ صَفْوَانَ بنِ أُمَيَّةَ، عن أَبِيهِ أَنَّ رَسُولَ اللَّهِ ﷺ اسْتَعَارَ مِنْهُ أَدْرُعًا يَوْمَ حُنَيْنٍ فقالَ: أَغَصْبٌ يا مُحَمَّدُ؟ فقالَ: «**لاَ بَلْ عَارِيَةٌ مَضْمُونَةٌ**».

قال أَبُو دَاوُدَ: هَذِهِ رِوَايَةُ يَزِيدَ بِبَغْدَادَ، وَفِي رِوَايَتِهِ بِوَاسِط تَغَيُّرٌ عَلَى غَيْرِ هَذَا.

3563 - حدّثنا أَبُو بَكْرِ بنِ أَبِي شَيْبَةَ: حدَّثنا جَرِيرٌ، عن عَبْدِ الْعَزِيزِ بنِ رُفَيْعٍ، عن أُنَاسٍ مِنْ آلِ عَبْدِ اللَّهِ بنِ صَفْوَانَ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**يَا صَفْوَانُ هَلْ عِنْدَكَ مِنْ سِلاَحٍ؟**» قالَ: عَارِيَةً أَمْ غَصْبًا؟ قالَ: «**لاَ بَلْ عَارِيَةٌ**» فَأَعَارَهُ مَا بَيْنَ الثَّلاَثِينَ إِلَى الأَرْبَعِينَ دِرْعًا، وَغَزَا رَسُولُ اللَّهِ ﷺ حُنَيْنًا، فَلَمَّا هُزِمَ الْمُشْرِكُونَ جُمِعَتْ دُرُوعُ صَفْوَانَ فَفَقَدَ مِنْهَا أَدْرَاعًا، فَقَالَ رَسُولُ اللَّهِ ﷺ لِصَفْوَانَ: «**إِنَّا قَدْ فَقَدْنَا مِنْ أَدْرَاعِكَ أَدْرعًا فَهَلْ نَغْرِمُ لَكَ؟**» قالَ: لاَ يَا رَسُولَ اللَّهِ، لأَنَّ فِي قَلْبِي الْيَوْمَ مَا لَمْ يَكُنْ يَوْمَئِذٍ.

قال أَبُو دَاوُدَ: وَكَانَ أَعَارَهُ قَبْلَ أَنْ يُسْلِمَ ثُمَّ أَسْلَمَ.

3564 - حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو الأَحْوَصِ: حدَّثنا عَبْدُ الْعَزِيزِ بنُ رُفَيْعٍ، عن عَطَاءٍ، عن نَاسٍ مِنْ آلِ صَفْوَانَ قالَ: «اسْتَعَارَ النَّبِيُّ ﷺ» فَذَكَرَ مَعْنَاهُ.

3565 - حدّثنا عَبْدُ الْوَهَّابِ بنُ نَجْدَةَ الْحَوْطِيُّ: حدَّثنا ابنُ عَيَّاشٍ، عن شُرَحْبِيلَ بنِ مُسْلِمٍ قالَ: سَمِعْتُ أَبَا أُمَامَةَ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِنَّ**

having said: "No doubt, Allah Almighty has given such as a right his right (in full), thereupon no bequest is required for an heir (to inherit his portion of the property). Furthermore, let no woman spend anything out of her house unless it is by the leave of her husband." It was said: "O Messenger of Allah! And not even the foodstuff?" he said: "This is the best of our property." Then he added: "Anything taken by way of borrowing should be given back (to its lender); and the (timed) granted thing should be brought back (to the grantor); and the debt should be fulfilled; and the surety bailsman should afford for any losses (resulting from the failure of payment)."

3566- It is narrated on the authority of Safwan Ibn Ya'li from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "When my messengers come to you, give them thirty armours and thirty camels." I said: "O Messenger of Allah! Should they be given by way of borrowing with guarantee for any damage or by way of borrowing that should be brought back with no guarantee for damage?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "By way of borrowing that should be brought back with no guarantee for damage."

[91] Whoever Damages A Thing Should Afford For The Like Of It

3567- It is narrated on the authority of Anas Ibn Malik that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" was in the house of one of the Mothers of the Believers, when another sent a bowl containing food, thereupon she (in whose house he was) struck the hand of the servant, and the bowl fell down and got broken. On that the Messenger of Allah "Allah's blessing and peace be upon him" took the two fragments (of the bowl), and joined them, in which he started gathering the food, while saying: "Your mother has become jealous! You might eat!" they kept eating until she brought her bowl which was in her house; and he gave the unbroken bowl to the servant, and kept the broken one in the house of such as broke it.

3568- It is narrated on the authority of A'ishah that she said: I've never seen someone cooking food better than Safiyyah. Once, she cooked food for the Messenger of Allah "Allah's blessing and peace be upon him", and sent it, thereupon I was overtaken by tremble and scare, and I broke the bowl. I said: "O Messenger of Allah! What is the expiation for what I've done?" he said: "A (perfect) bowl for (the broken) bowl, and (cooked) food for (the wasted) food."

اللَّهَ قَدْ أَعْطَى كُلَّ ذِي حَقٍّ حَقَّهُ، فَلاَ وَصِيَّةَ لِوَارِثٍ، وَلاَ تُنْفِقُ الْمَرْأَةُ شَيْئًا مِنْ بَيْتِهَا إِلاَّ بِإِذْنِ زَوْجِهَا» فَقِيلَ: يَا رَسُولَ اللَّهِ وَلاَ الطَّعَامَ؟ قال: «**ذَلِكَ أَفْضَلُ أَمْوَالِنَا**»، ثُمَّ قالَ: «**الْعَارِيَةُ مُؤَدَّاةٌ، وَالمِنْحَةُ مَرْدُودَةٌ، وَالدَّيْنُ مَقْضِيٌّ، وَالزَّعِيمُ غَارِمٌ**».

3566 ـ حدّثنا إِبْرَاهِيمُ بنُ الْمُسْتَمِرِّ الْعُصْفُرِيُّ: حدَّثنا حَبَّانُ بنُ هِلاَلٍ: حدَّثنا هَمَّامٌ، عن قَتَادَةَ، عن عَطَاءِ بنِ أَبِي رَبَاحٍ، عن صَفْوَانَ بنِ يَعْلَى، عن أَبِيهِ قالَ: قالَ لِي رَسُولُ اللَّهِ ﷺ: «**إِذَا أَتَتْكَ رُسُلِي فَأَعْطِهِمْ ثَلاَثِينَ دِرْعًا وَثَلاَثِينَ بَعِيرًا**». قالَ: فَقُلْتُ: يَا رَسُولَ اللَّهِ أَعَارِيَةٌ مَضْمُونَةٌ أَوْ عَارِيَةٌ مُؤَدَّاةٌ؟ قالَ: «**بَلْ مُؤَدَّاةٌ**».

قال أَبُو دَاوُدَ: حَبَّانُ خَالُ هِلاَلٍ الرأْيِ.

[ت91/م89] ـ باب فيمن أفسد شيئًا يغرم مثله

3567 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى. (ح)، وحدَّثنا مُحَمَّدُ بنُ المُثَنَّى: حدَّثنا خَالِدٌ، عن حُمَيْدٍ، عن أَنَسٍ: أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ عِنْدَ بَعْضِ نِسَائِهِ فَأَرْسَلَتْ إِحْدَى أُمَّهَاتِ الْمُؤْمِنِينَ مَعَ خَادِمِهَا قَصْعَةً فِيهَا طَعَامٌ. قَالَ: فَضَرَبَتْ بِيَدِهَا فَكَسَرَتِ الْقَصْعَةَ.

قالَ ابنُ المُثَنَّى: فَأَخَذَ النَّبِيُّ ﷺ الْكِسْرَتَيْنِ فَضَمَّ إِحْدَاهُمَا إِلَى الأُخْرَى فَجَعَلَ يَجْمَعُ فِيهَا الطَّعَامَ وَيَقُولُ: «**غَارَتْ أُمُّكُمْ**». زَادَ ابنُ المُثَنَّى: «**كُلُوا**»، فَأَكَلُوا حَتَّى جَاءَتْ قَصْعَتُهَا الَّتِي فِي بَيْتِهَا؛ ثُمَّ رَجَعْنَا إِلَى لَفْظِ حَدِيثِ مُسَدَّدٍ قال: «**كُلُوا**»، وَحَبَسَ الرَّسُولَ وَالْقَصْعَةَ حَتَّى فَرَغُوا، فَدَفَعَ الْقَصْعَةَ الصَّحِيحَةَ إِلَى الرَّسُولِ وَحَبَسَ المَكْسُورَةَ فِي بَيْتِهِ.

3568 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن سُفْيَانَ: حَدَّثَنِي فُلَيْتُ الْعَامِرِيُّ، عن جَسْرَةَ بِنْتِ دَجَاجَةَ قالَتْ: قالَتْ عَائِشَةُ رضي اللَّه عنها: مَا رَأَيْتُ صَانِعًا طَعَامًا مِثْلَ صَفِيَّةَ صَنَعَتْ لِرَسُولِ اللَّهِ ﷺ طَعَامًا، فَبَعَثَتْ بِهِ، فَأَخَذَنِي أَفْكَلٌ فَكَسَرْتُ الإِنَاءَ فَقُلْتُ: يَا رَسُولَ اللَّهِ مَا كَفَّارَةُ مَا صَنَعْتُ؟ قالَ: «**إِنَاءٌ مِثْلُ إِنَاءٍ، وَطَعَامٌ مِثْلُ طَعَامٍ**».

[92] When The Cattle Cause Damage To The Field Of A People

3569- It is narrated on the authority of Muhaiyyisah Al-Ansari that a she-camel belonging to Al-Bara' Ibn Azib entered the garden of some people, and cause damage in it, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" judged that guarding the gardens is due upon their owners during the day, and guarding the cattle (from causing damage) is due upon their owners at night.

3570- It is narrated on the authority of Al-Bara' Ibn Azib that a she-camel belonging to him, and it was accustomed to graze in the fields of the people, entered the garden of some people, and cause damage in it. A mention of that was made to the Messenger of Allah "Allah's blessing and peace be upon him", who judged that guarding the gardens is due upon their owners during the day, and guarding the cattle (from causing damage) is due upon their owners at night, and whatever the cattle damage at night is due upon their owners.

[ت92/م90] - باب المواشي تُفسد زرع قوم

3569 - حدّثنا أَحْمَدُ بنُ مُحَمَّدِ بنِ ثَابِتٍ المَرْوَزِيُّ: حدَّثنا عَبْدُ الرَّزَّاقِ، أخبرنَا مَعْمَرٌ، عن الزُّهْرِيِّ، عن حَرَام بنِ مُحَيِّصَةَ، عن أَبِيهِ: أَنَّ نَاقَةً لِلْبَرَاءِ بنِ عَازِبٍ دَخَلَتْ حَائِطَ رَجُلٍ فَأَفْسَدَتْهُ عَلَيْهِمْ، فَقَضَى رَسُولُ اللَّهِ ﷺ عَلَى أَهْلِ الأَمْوَالِ حِفْظَهَا بالنَّهَارِ، وعَلَى أَهْلِ المَوَاشِي حِفْظَهَا باللَّيْلِ.

3570 - حدّثنا مَحْمُودُ بنُ خَالِدٍ: حدَّثنا الْفِرْيَابِيُّ، عن الأَوْزَاعِيِّ، عن الزُّهْرِيِّ، عن حَرَام بنِ مُحَيِّصَةَ الأَنْصَارِيِّ، عن الْبَرَاءِ بنِ عَازِبٍ قالَ: كَانَتْ لَهُ نَاقَةٌ ضَارِيَةٌ، فَدَخَلَتْ حَائِطًا فَأَفْسَدَتْ فِيهِ، فَكُلِّمَ رَسُولُ اللَّهِ ﷺ فِيهَا، فَقَضَى أَنَّ حِفْظَ الْحَوَائِطِ بالنَّهَارِ عَلَى أَهْلِهَا، وأَنَّ حِفْظَ المَاشِيَةِ باللَّيْلِ عَلَى أَهْلِهَا، وَأَنَّ عَلَى أَهْلِ المَاشِيَةِ مَا أَصَابَتْ مَاشِيَتُهُمْ باللَّيْلِ.

(18/23) THE BOOK OF JUDGEMENTS

[1] What About Asking For the Office of the Judge?

3571- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who is given the office of the judge, has, indeed, been slain with no knife."

3572- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who is made a judge between the people, has, indeed, been slain with no knife."

[2] The Judge Could Commit A Mistake

3573- It is narrated on the authority of Ibn Buraidah from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The judges are of three types, one of whom will be admitted to the Garden, and the other two to the fire (of Hell): (the first is) a man who knows the truth therewith he judges (among the people, and thus he will be admitted to the Garden); (the second is) a man who knows the truth, and even though he proves unjust in his judgement, and thus he will be admitted to the fire (of Hell); and (the third one is) a man who judges between the people with ignorance; and thus he will be admitted to the fire (of Hell)."

Abu Dawud says: This narration is the most authentic.

3574- It is narrated on the authority of Amr Ibn Al-As that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When a judge does his best to attain the truth and he proves right (in his judgement), he then receives a double reward; and when a judge does his best to attain the truth and he proves wrong (in his judgement), he receives a single reward." I related this narration to Abu Bakr Ibn Hazm who said: As such it is transmitted to me from Abu Salamah from Abu Hurairah.

3575- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who seeks to be a judge between the Muslims, and then his justice prevails over his injustice, the Garden is assured to him; and (he, who does so but) his injustice prevails over his justice, the fire (of Hell) is assured to him."

3576- It is narrated on the authority of Ibn Abbas that he said: It is in connection with the Jews in general, and both the Quraizhah and An-Nadir among them in particular that Allah's following saying was revealed: If any do fail to judge by (the light of) what Allah has revealed, they are (no better than) Unbelievers...If any do fail to judge by (the light of) what

[18/ 23] ـ كتاب الأقضية

[ت1/م1] ـ باب في طلب القضاء

3571 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ: حدَّثنا فُضَيْلُ بنُ سُلَيْمَانَ: حدَّثنا عَمْرُو بنُ أَبِي عَمْرٍو، عن سَعِيدٍ المَقْبُرِيِّ، عن أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**مَنْ وَلِيَ الْقَضَاءَ فَقَدْ ذُبِحَ بِغَيْرِ سِكِّينٍ**».

3572 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ، أَخبرنَا بِشْرُ بنُ عُمَرَ، عن عَبْدِ اللَّهِ بنِ جَعْفَرٍ، عن عُثْمَانَ بنِ مُحَمَّدٍ الأَخْنَسِيِّ، عن المَقْبُرِيِّ وَالأَعْرَجِ، عن أَبِي هُرَيْرَةَ، عن النَّبِيِّ ﷺ قالَ: «**مَنْ جُعِلَ قَاضِيًا بَيْنَ النَّاسِ فَقَدْ ذُبِحَ بِغَيْرِ سِكِّينٍ**».

[ت2/م2] ـ باب في القاضي يُخطِىء

3573 ـ حدّثنا مُحَمَّدُ بنُ حَسَّانَ السَّمْتِيُّ: حدَّثنا خَلَفُ بنُ خَلِيفَةَ، عن أَبِي هَاشِمٍ، عن ابنِ بُرَيْدَةَ، عن أَبِيهِ، عن النَّبِيِّ ﷺ قالَ: «**الْقُضَاةُ ثَلاثَةٌ: وَاحِدٌ فِي الْجَنَّةِ، وَاثْنَانِ فِي النَّارِ، فَأَمَّا الَّذِي فِي الْجَنَّةِ فَرَجُلٌ عَرَفَ الْحَقَّ فَقَضَى بِهِ، وَرَجُلٌ عَرَفَ الْحَقَّ فَجَارَ فِي الْحُكْمِ فَهُوَ فِي النَّارِ، وَرَجُلٌ قَضَى لِلنَّاسِ عَلَى جَهْلٍ فَهُوَ فِي النَّارِ**».

قال أَبُو دَاوُدَ: وَهَذَا أَصَحُّ شَيْءٍ فِيهِ ـ يَعْنِي حَدِيثَ ابنِ بُرَيْدَةَ، «**الْقُضَاةُ ثَلاثَةٌ**».

3574 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ عُمَرَ بنِ مَيْسَرَةَ قالَ: حدَّثنا عَبْدُ الْعَزِيزِ ـ يَعْنِي ابنَ مُحَمَّدٍ ـ قالَ: أخبرني يَزِيدُ بنُ عَبْدِ اللَّهِ بنِ الْهَادِ، عن مُحَمَّدِ بنِ إِبْرَاهِيمَ، عن بُسْرِ بنِ سَعِيدٍ، عن أَبِي قَيْسٍ مَوْلَى عَمْرِو بنِ الْعَاصِ، عن عَمْرِو بنِ الْعَاصِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا حَكَمَ الْحَاكِمُ فَاجْتَهَدَ فَأَصَابَ فَلَهُ أَجْرَانِ، وَإِذَا حَكَمَ فَاجْتَهَدَ فَأَخْطَأَ فَلَهُ أَجْرٌ**»، فَحَدَّثْتُ بِهِ أَبَا بَكْرِ بنِ حَزْمٍ فقالَ: هَكَذَا حَدَّثَنِي أَبُو سَلَمَةَ عن أَبِي هُرَيْرَةَ.

3575 ـ حدّثنا عَبَّاسٌ الْعَنْبَرِيُّ: حدثنا عُمَرُ بنُ يُونُسَ: حدَّثنا مُلاَزِمُ بنُ عَمْرٍو: حَدَّثَنِي مُوسَى بنُ نَجْدَةَ، عن جَدِّهِ يَزِيدَ بنِ عَبْدِ الرَّحْمَنِ، وَهُوَ أَبُو كَثِيرٍ قالَ: حَدَّثَنِي أَبُو هُرَيْرَةَ، عن النَّبِيِّ ﷺ قالَ: «**مَنْ طَلَبَ قَضَاءَ الْمُسْلِمِينَ حَتَّى يَنَالَهُ، ثُمَّ غَلَبَ عَدْلُهُ جَوْرَهُ فَلَهُ الْجَنَّةُ، وَمَنْ غَلَبَ جَوْرُهُ عَدْلَهُ فَلَهُ النَّارُ**».

3576 ـ حدّثنا إِبْرَاهِيمُ بنُ حَمْزَةَ بنِ أَبِي يَحْيَى الرَّمْلِيُّ: حدَّثني زَيْدُ بنُ أَبِي الزَّرْقَاءِ: حدَّثنا ابنُ أَبِي الزِّنَادِ، عن أَبِيهِ، عن عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ بنِ عُتْبَةَ، عن ابنِ عَبَّاسٍ قالَ: ﴿ وَمَن لَّمْ يَحْكُم بِمَآ أَنزَلَ ٱللَّهُ فَأُو۟لَٰٓئِكَ هُمُ ٱلْكَٰفِرُونَ ﴿٤٤﴾ ﴾ إِلَى قَوْلِهِ:

Allah has revealed, they are (no better than) those who rebel." (Al-Ma'idah 44:47)

[3] What About Seeking For Judging Between The People Quickly

3577- It is narrated on the authority of Abd Ar-Rahman Ibn Bishr Al-Ansari that he said: Two men entered through the gates of Kindah and Abu Mas'ud Al-Ansari was sitting in a gathering. One of them said: "Is there not a man (among you) to judge between us?" a man sitting in the gathering said: "I am (to do so)." On that Abu Mas'ud picked up a handful of pebbles therewith he threw him and said: "Be quiet! Indeed, it is undesirable to hasten to pass judgements (among the people)."

3578- It is narrated on the authority of Anas Ibn Malik that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who asks to be a judge and seeks the help (of the people) has his matter entrusted to his own self; and he, who is forced to be so, and does not seek the help (of the people) Allah Almighty sends down an angel to help him follow the right way." Waki' relates it on the authority of Anas from the Messenger of Allah "Allah's blessing and peace be upon him", through a different chain of transmitters.

3579- It is narrated on the authority of Abu Musa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "We never appoint in any of our jobs such as seeks for it."

[4] It Is Forbidden To Deal With Others On The Basis Of Bribe

3580- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" sent his curse upon both the bribe giver and taker.

[5] What About The Gifts Given To The Employees

3581- It is narrated on the authority of Adi Ibn Amr Al-Kindi that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "O people! Whoever among you is appointed in charge of any of our jobs, and he withholds from giving us (anything even as insignificant as) a needle and what is above it, it is then an item of misappropriation with which he will come on the Day of Judgement." A black man belonging to the Ansar, as if I'm looking at him, stood up and said: "O Messenger of Allah! Relieve me of your job!" the Messenger of Allah "Allah's blessing and peace be upon him" asked him: "What is the matter?" he said: "I heard you having said such and such." He said: "I surely say this: he, whom we appoint to be in charge of any of our jobs, should bring everything related

﴿ٱلْفَٰسِقُونَ ﴿٤٧﴾﴾ [المائدة: 44 ـ 47]؛ هَؤُلاَءِ الآيَاتُ الثَّلاَثُ نَزَلَتْ في يَهُودَ؛ خَاصَّةً فِي قُرَيْظَةَ وَالنَّضِيرِ.

[ت3/م3] ـ باب في طلب القضاء والتَّسرُّع إليه

3577 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ وَمُحَمَّدُ بنُ الْمُثَنَّى قالاَ: حدَّثنا أَبُو مُعَاوِيَةَ، عن الأَعْمَشِ، عن رَجَاءِ الأَنْصَارِيِّ، عن عَبْدِ الرَّحْمَنِ بنِ بِشْرٍ الأَنْصَارِيِّ الأَزْرَقِ قالَ: «دَخَلَ رَجُلاَنِ مِنْ أَبْوَابِ كِنْدَةَ، وَأَبُو مَسْعُودٍ الأَنْصَارِيُّ جَالِسٌ فِي حَلْقَةٍ فَقَالاَ: أَلاَ رَجُلٌ يُنَفِّذُ بَيْنَنَا؟ فَقَالَ رَجُلٌ مِنَ الْحَلْقَةِ: أَنَا، فَأَخَذَ أَبُو مَسْعُودٍ كُفًّا مِنْ حَصًى فَرَمَاهُ بِهِ وَقَالَ: مَهْ إِنَّهُ كَانَ يُكْرَهُ التَّسَرُّعُ إِلَى الْحُكْمِ».

3578 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا إِسْرَائِيلُ: حدَّثنا عَبْدُ الأَعْلَى، عن بِلاَلٍ، عن أَنَسِ بنِ مَالِكٍ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«مَنْ طَلَبَ الْقَضَاءَ وَاسْتَعَانَ عَلَيْهِ وُكِلَ إِلَيْهِ، وَمَنْ لَمْ يَطْلُبْهُ وَلَمْ يَسْتَعِنْ عَلَيْهِ أَنْزَلَ اللَّه مَلَكًا يُسَدِّدُهُ»**.

وَقَالَ وَكِيعٌ: عن إِسْرَائِيلَ، عن عَبْدِ الأَعْلَى، عن بِلاَلِ بنِ أَبِي مُوسَى، عن أَنَسٍ، عن النَّبِيِّ ﷺ، وَقَالَ أَبُو عَوَانَةَ: عن عَبْدِ الأَعْلَى، عن بِلاَلِ بنِ مِرْدَاسٍ الْفَزَارِيِّ، عن خَيْثَمَةَ الْبَصْرِيِّ، عن أَنَسٍ.

3579 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا يَحْيَى بنُ سَعِيدٍ: حدَّثنا قُرَّةُ بنُ خَالِدٍ: حدَّثنا حُمَيْدُ بنُ هِلاَلٍ: حَدَّثَنِي أَبُو بُرْدَةَ قالَ: قالَ أَبُو مُوسَى قالَ النَّبِيُّ ﷺ: **«لَنْ نَسْتَعْمِلَ، أَوْ لاَ نَسْتَعْمِلُ، عَلَى عَمَلِنَا مَنْ أَرَادَهُ»**.

[ت4/م4] ـ باب في كراهية الرِّشوة

3580 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: أخبرنا ابنُ أَبِي ذِئْبٍ، عن الْحَارِثِ بنِ عَبْدِ الرَّحْمَنِ، عن أَبِي سَلَمَةَ، عن عَبْدِ اللَّهِ بنِ عَمْرٍو قالَ: «لَعَنَ رَسُولُ اللَّهِ ﷺ الرَّاشِيَ وَالْمُرْتَشِيَ».

[ت5/م5] ـ باب في هدايا العمَّال

3581 ـ حدّثنا مُسَدَّدٌ: أخبرنا يَحْيَى، عن إِسْمَاعِيلَ بنِ أَبِي خَالِدٍ قالَ: حَدَّثَنِي قَيْسٌ قالَ: حَدَّثَنِي عَدِيُّ بنُ عُمَيْرَةَ الْكِنْدِيُّ، أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: **«يَا أَيُّهَا النَّاسُ مَنْ عُمِّلَ مِنْكُمْ لَنَا عَلَى عَمَلٍ فَكَتَمَنَا مِنْهُ مِخْيَطًا فَمَا فَوْقَهُ فَهُوَ غُلٌّ يَأْتِي بِهِ يَوْمَ الْقِيَامَةِ»**، فَقَامَ رَجُلٌ مِنَ الأَنْصَارِ أَسْوَدُ كَأَنِّي أَنْظُرُ إِلَيْهِ فَقَالَ: يَا رَسُولَ اللَّهِ اقْبَلْ عَنِّي عَمَلَكَ، قالَ: **«وَمَا ذَلِكَ؟»** قالَ: سَمِعْتُكَ تَقُولُ كَذَا وَكَذَا. قالَ: **«وَأَنَا أَقُولُ ذَلِكَ، مَنِ اسْتَعْمَلْنَاهُ**

to it, be it little or much, and take what he is given out of it to him, and refrain from what is withheld from him out of it."

[6] The Way Of Passing The Judgement

3582- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" sent me to Yemen as a judge, and I said to him: "O Messenger of Allah! How should you send me to judge between the people, even though I'm still very young and I have no enough knowledge of judgement?" on that he said: "No doubt, Allah will guide your heart to the right way, and make firm (the truth to appear on) your tongue: when two foes sit in front of you, make no decision of their matter until you listen to the other party in the same way as you listen to the first party; and it is more convenient to make clear your judgements." He further said: From this time on, I've never had doubt in any of my judgements."

[7] What About The (Destiny Of The) Decision Of The Judge When He Commits Mistake Pertaining To It?

3583- It is narrated on the authority of Umm Salamah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: " I'm (no more than) a human being, and you people present your cases to me, and some of you may be more eloquent and persuasive in presenting their argument; and I judge your cases depending upon what I hear from you. So, if I give some one's right to another (wrongly because of the latter's tricky presentation of the case), he should not take it for indeed, I am really giving him a piece of fire (with which he will come on the Day of Judgement)."

3584- It is narrated on the authority of Umm Salamah that she said: Two opponents came to the Messenger of Allah "Allah's blessing and peace be upon him" with a dispute between them over the heritage, and both had no evidence to support their claims. On that the Messenger of Allah "Allah's blessing and peace be upon him" said...and the rest is the same in which she told: Heard that, both men went on weeping, and each of them said: "I give my right to you (willingly)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Since you say so, then, divide the heritage equally between you, and do your best to be right, and cast lots to know the share of each of you, and let each of you dissolve his companion (of whatever obligations due to him)."

3585- It is narrated on the authority of Umm Salamah that she heard the same from the Messenger of Allah "Allah's blessing and peace be upon

عَلَى عَمَلٍ فَلْيَأْتِ بِقَلِيلِهِ وَكَثِيرِهِ، فَمَا أُوتِيَ مِنْهُ أَخَذَهُ وَمَا نُهِيَ عَنْهُ انْتَهَى».

[ت6/م6] ـ باب كيف القضاء

3582 ـ حدّثنا عَمْرُو بنُ عَوْن قالَ: أخبرنا شَرِيكٌ، عن سِمَاكٍ، عن حَنَشٍ، عن عَلِيٍّ قالَ: «بَعَثَنِي رَسُولُ اللَّهِ ﷺ إِلَى الْيَمَنِ قَاضِيًا فَقُلْتُ: يَا رَسُولَ اللَّهِ تُرْسِلُنِي وَأَنَا حَدِيثُ السِّنِّ، وَلاَ عِلْمَ لِي بِالْقَضَاءِ؟ فَقَالَ: «**إِنَّ اللَّه سَيَهْدِي قَلْبَكَ وَيُثَبِّتُ لِسَانَكَ، فَإِذَا جَلَسَ بَيْنَ يَدَيْكَ الْخَصْمَانِ، فَلاَ تَقْضِيَنَّ حَتَّى تَسْمَعَ مِنَ الآخَرِ كَمَا سَمِعْتَ مِنَ الأَوَّلِ، فَإِنَّهُ أَحْرَى أَنْ يَتَبَيَّنَ لَكَ الْقَضَاءُ**». قالَ: فَمَا زِلْتُ قَاضِيًا أَوْ مَا شَكَكْتُ فِي قَضَاءٍ بَعْدُ».

[ت7/م7] ـ باب في قضاء القاضي إذا أخطأ

3583 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أَنْبَأَنَا سُفْيَانُ، عن هِشَامِ بنِ عُرْوَةَ، عن عُرْوَةَ، عن زَيْنَبَ بِنْتِ أُمِّ سَلَمَةَ قالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّمَا أَنَا بَشَرٌ وَإِنَّكُمْ تَخْتَصِمُونَ إِلَيَّ، وَلَعَلَّ بَعْضَكُمْ أَنْ يَكُونَ أَلْحَنَ بِحُجَّتِهِ مِنْ بَعْضٍ، فَأَقْضِيَ لَهُ عَلَى نَحْوِ مَا أَسْمَعُ مِنْهُ، فَمَنْ قَضَيْتُ لَهُ مِنْ حَقِّ أَخِيهِ بِشَيْءٍ فَلاَ يَأْخُذْ مِنْهُ شَيْئًا، فَإِنَّمَا أَقْطَعُ لَهُ قِطْعَةً مِنَ النَّارِ**».

3584 ـ حدّثنا الرَّبِيعُ بنُ نَافِعٍ أَبُو تَوْبَةَ: حدَّثنا ابنُ المُبَارَكِ، عن أُسَامَةَ بنِ زَيْدٍ، عن عَبْدِ اللَّهِ بنِ رَافِعٍ مَوْلَى أُمِّ سَلَمَةَ، عن أُمِّ سَلَمَةَ، قَالَتْ: أَتَى رَسُولَ اللَّهِ ﷺ رَجُلاَنِ يَخْتَصِمَانِ فِي مَوَارِيثَ لَهُمَا، لَمْ تَكُنْ لَهُمَا بَيِّنَةٌ إِلاَّ دَعْوَاهُمَا، فَقَالَ النَّبِيُّ ﷺ فَذَكَرَ مِثْلَهُ. فَبَكَى الرَّجُلاَنِ وَقَالَ كُلُّ وَاحِدٍ مِنْهُمَا: حَقِّي لَكَ، فَقَالَ لَهُمَا النَّبِيُّ ﷺ: «**أَمَّا إِذَا فَعَلْتُمَا مَا فَعَلْتُمَاهُ فاقْتَسِمَا وَتَوَخَّيَا الْحَقَّ، ثُمَّ اسْتَهِمَا ثُمَّ تَحَالاَّ**».

3585 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ: أَخبرنا عِيسَى: أَخبرنا أُسَامَةُ، عن عَبْدِ اللَّهِ بنِ رَافِعٍ قالَ: سَمِعْتُ أُمَّ سَلَمَةَ عن النَّبِيِّ ﷺ بِهَذَا الْحَدِيثِ؛ قالَ:

him", in which he (the Prophet) said: "I judge between you depending upon my own opinion in that in connection with which no Divine Revelation has been sent to me."

3586- It is narrated on the authority of Ibn Shihab that Umar Ibn Al-Khattab said while being over the pulpit: "O people! The opinion upon which the Messenger of Allah "Allah's blessing and peace be upon him" depended (in passing his judgements in the matters in which no Divine Revelation was sent down) was right, for it is Allah Almighty Who showed him what is right (as distinct from what is wrong); and depending upon the opinion from our part make us vulnerable to suspicion and difficulty."

3587- The same is narrated on the authority of Abu Uthman Ash-Shami, through another chain of transmitters.

[8] How Should Both Opponents Sit In Front Of The Judge?

3588- It is narrated on the authority of Abdullah Ibn Az-Zubair that he said: The Messenger of Allah "Allah's blessing and peace be upon him" judged that both opponents (who appeal to the judge to settle the dispute between them) should sit in front of the judge.

[9] When A Judge Passes His Judgement While Being Angry

3589- It is narrated on the authority of Abd Ar-Rahman Ibn Abu Bakrah from his father that he wrote to his son saying: The Messenger of Allah "Allah's blessing and peace be upon him" judged that no judge should pass a judgement while being in the state of anger.

[10] What About Judging Between The Non-Muslims Who Have Covenants Of Protection With The Muslims

3590- It is narrated on the authority of Ibn Abbas that he said: As to Allah's Statement: "If they do come to you, either judge between them, or decline to interfere" (Al-Ma'idah 42) it was abrogated by His saying: "judge between them by what Allah has revealed, and follow not their vain desires." (48)

3591- It is narrated on the authority of Ibn Abbas that he said: When the following was revealed: "If they do come to you, either judge between them, or decline to interfere. If you decline, they cannot hurt you in the least. If you judge, judge in equity between them. For Allah loveth those who judge in equity", it was the habit that whenever anyone of the Nadir sons killed anyone of the Quraizhah, they should pay no more than half the blood-money; and whenever anyone of the Quraizhah killed anyone of the

يَخْتَصِمَانِ فِي مَوَارِيثَ وَأَشْيَاءَ قَدْ دُرِسَتْ فَقَالَ: «**إِنِّي إِنَّمَا أَقْضِي بَيْنَكُمْ بِرَأْيِي فِيمَا لَمْ يُنْزَلْ عَلَيَّ فِيهِ**».

3586 - حدّثنا سُلَيْمَانُ بنُ دَاوُدَ المَهْرِيُّ قالَ: أخبرنا ابنُ وَهْبٍ، عن يُونُسَ بنِ يَزِيدَ، عن ابنِ شِهَابٍ أَنَّ عُمَرَ بنَ الْخَطَّابِ قالَ وَهُوَ عَلَى المِنْبَرِ: «يَا أَيُّهَا النَّاسُ إِنَّ الرَّأْيَ إِنَّمَا كَانَ مِنْ رَسُولِ اللَّهِ ﷺ مُصِيبًا، لأَنَّ اللَّهَ كَانَ يُرِيهُ، وَإِنَّمَا هُوَ مِنَّا الظَّنُّ وَالتَّكَلُّفُ».

3587 - حدّثنا أَحْمَدُ بنُ عَبْدَةَ الضَّبِّيُّ، أخبرنا مُعَاذُ بنُ مُعَاذٍ قالَ: أخبرني أَبُو عُثْمَانَ الشَّامِيُّ، وَلاَ إِخَالُنِي رَأَيْتُ شَامِيًّا أَفْضَلَ مِنْهُ يَعْنِي حَرِيزَ بنَ عُثْمَانَ.

[ت8/م8] ـ باب كيف يجلس الخصمان بين يدي القاضي

3588 - حدّثنا أَحْمَدُ بنُ مَنِيعٍ: حدَّثنا عَبْدُ اللَّهِ بنُ المُبَارَكِ: أخبرنا مُصْعَبُ بنُ ثَابِتٍ، عن عَبْدِ اللَّهِ بنِ الزُّبَيْرِ قالَ: «قَضَى رَسُولُ اللَّهِ ﷺ أَنَّ الْخَصْمَيْنِ يَقْعُدَانِ بَيْنَ يَدَيِ الْحَكَمِ».

[ت9/م9] ـ باب القاضي يقضي وهو غضبان

3589 - حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُفْيَانُ، عن عَبْدِ المَلِكِ بنِ عُمَيْرٍ قالَ: أخبرنا عَبْدُ الرَّحْمَنِ بنُ أَبِي بَكْرَةَ، عن أَبِيهِ أَنَّهُ كَتَبَ إِلَى ابْنِهِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَقْضِي الْحَاكِمُ بَيْنَ اثْنَيْنِ وَهُوَ غَضْبَانُ**».

[ت10/م10] ـ باب الحكم بين أهل الذمة

3590 - حدّثنا أَحْمَدُ بنُ مُحَمَّدٍ المَرْوَزِيُّ: حدَّثني عَلِيُّ بنُ حُسَيْنٍ، عن أَبِيهِ، عن يَزِيدَ النَّحْوِيِّ، عنْ عِكْرِمَةَ، عن ابنِ عَبَّاسٍ قال: ﴿فَإِن جَآءُوكَ فَٱحْكُم بَيْنَهُمْ أَوْ أَعْرِضْ عَنْهُمْ﴾ [المائدة: 42] فَنُسِخَتْ قالَ: ﴿فَٱحْكُم بَيْنَهُم بِمَآ أَنزَلَ ٱللَّهُ﴾ [المائدة: 48].

3591 - حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ قالَ: حدَّثنا مُحَمَّدُ بنُ سَلَمَةَ، عن مُحَمَّدِ بنِ إِسْحَاقَ، عن دَاوُدَ بنِ الْحُصَيْنِ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ قالَ: «لَمَّا نَزَلَتْ هَذِهِ الآيَةُ: ﴿فَإِن جَآءُوكَ فَٱحْكُم بَيْنَهُمْ أَوْ أَعْرِضْ عَنْهُمْ﴾ وَ ﴿وَإِنْ حَكَمْتَ فَٱحْكُم بَيْنَهُم بِٱلْقِسْطِ﴾ الآية.

قال: كَانَ بَنُو النَّضِيرِ إِذَا قَتَلُوا مِنْ بَنِي قُرَيْظَةَ أَدَّوْا نِصْفَ الدِّيَةِ، وَإِذَا قَتَلَ بَنُو قُرَيْظَةَ مِنْ بَنِي النَّضِيرِ أَدُّوا الدِّيَةَ كَامِلَةً، فَسَوَّى رَسُولُ اللَّهِ ﷺ بَيْنَهُمْ.

Nadir, they should pay the blood-money in full. The Messenger of Allah "Allah's blessing and peace be upon him" made it equal between them.

[11] Doing One's Best To Get The Right Judgement

3592- It is narrated on the authority of Al-Harith Ibn Amr, the nephew of Al-Mughirah Ibn Shu'bah from some inhabitants of Hims, who were companions of Mu'adh Ibn Jabal that when the Messenger of Allah "Allah's blessing and peace be upon him" intended to send Mu'adh to Yemen, he asked him: "How should you pass a judgement when any matter faces you?" he said: "I will judge depending upon Allah's Book." He asked: "And if you do not find that in Allah's Book (what should you do?)" he said: "I should act upon the sunnah of the Messenger of Allah "Allah's blessing and peace be upon him"." He further asked: "Then, if you do not find that in the sunnah of Allah's Messenger or in the Book of Allah (what should you do?) he said: "Then, I should do my best to get the right judgement, without being short of effort." On that the Messenger of Allah "Allah's blessing and peace be upon him" struck his breast and said: "Praise be to Allah Who has helped the messenger of Allah's Apostle do what satisfies Allah's Apostle."

3593- It is narrated on the authority of Mu'adh Ibn Jabal that when the Messenger of Allah "Allah's blessing and peace be upon him" sent him to Yemen...and the rest is the same.

[12] What About Making Peace Between The People?

3594- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Making peace among the Muslims is permissible except in case it makes lawful what is unlawful, or makes unlawful what is lawful." The Messenger of Allah "Allah's blessing and peace be upon him" further said: "The Muslims should abide to whatever conditions they have stipulated."

3595- It is narrated on the authority of Ka'b Ibn Malik that he asked Ibn Abu Hadrad to pay the debts which he owed him during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", and their voices grew louder. The Messenger of Allah "Allah's blessing and peace be upon him" heard that while he was in his house. So he came to them raising the curtain of his room and addressed Ka'b Ibn Malik saying: "O Ka'b!" He replied: "I'm responding to your call, O Allah's Apostle!" He said: "O Ka'b! reduce your debt to one half," gesturing with his hand. He said: "O Allah's Apostle! I have done so." Then The Messenger of Allah "Allah's

[ت11/م11] ـ باب اجتهاد الرأي في القضاء

3592 ـ حدّثنا حَفْصُ بنُ عُمَرَ، عن شُعْبَةَ، عنْ أَبِي عَوْنٍ، عن الْحَارِثِ بنِ عَمْرٍو ابنِ أَخِي الْمُغِيرَةِ بنِ شُعْبَةَ، عن أُنَاسٍ مِنْ أَهْلِ حِمْصَ مِنْ أَصْحَابِ مُعَاذِ بنِ جَبَلٍ: أَنَّ رَسُولَ اللَّهِ ﷺ لَمَّا أَرَادَ أَنْ يَبْعَثَ مُعَاذًا إِلَى الْيَمَنِ قالَ: «**كَيْفَ تَقْضِي إِذَا عَرَضَ لَكَ قَضَاءٌ؟**» قَالَ: أَقْضِي بِكِتَابِ اللَّهِ. قالَ: «**فَإِنْ لَمْ تَجِدْ فِي كِتَابِ اللَّهِ؟**» قالَ: فَبِسُنَّةِ رَسُولِ اللَّهِ ﷺ قالَ: «**فَإِنْ لَمْ تَجِدْ فِي سُنَّةِ رَسُولِ اللَّهِ ﷺ وَلاَ فِي كِتَابِ اللَّهِ؟**» قالَ: أَجْتَهِدُ بِرَأْيِي، وَلاَ آلو، فَضَرَبَ رَسُولُ اللَّهِ ﷺ صَدْرَهُ، وَقَالَ: «**الْحَمْدُ للَّهِ الَّذِي وَفَّقَ رَسُولَ رَسُولِ اللَّهِ لِمَا يُرْضِي رَسُولَ اللَّهِ**».

3593 ـ حدّثنا مُسَدَّدٌ: أخبرنا يَحْيَى، عنْ شُعْبَةَ قالَ: حَدَّثَنِي أَبُو عَوْنٍ، عَنْ الْحَارِثِ بنِ عَمْرٍو، عن نَاسٍ مِنْ أَصْحَابِ مُعَاذٍ، عنْ مُعَاذِ بنِ جَبَلٍ: «أَنَّ رَسُولَ اللَّهِ ﷺ لَمَّا بَعَثَهُ إِلَى الْيَمَنِ» فَذَكَرَ مَعْنَاهُ.

[ت12/م12] ـ باب في الصلح

3594 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ الْمَهْرِيُّ: أخبرنا ابنُ وَهْبٍ: أخبرني سُلَيْمَانُ بنُ بِلاَلٍ. (ح)، وَحَدَّثَنَا أَحْمَدُ بنُ عَبْدِ الْوَاحِدِ الدِّمَشْقِيُّ: حدثنا مَرْوَانُ ـ يَعْنِي ابنَ مُحَمَّدٍ ـ: حدثنا سُلَيْمَانُ بنُ بِلاَلٍ أَوْ عَبْدُ الْعَزِيزِ بنُ مُحمدٍ شَكَّ الشَّيْخُ، عَنْ كَثِيرِ بنِ زَيْدٍ، عن الْوَلِيدِ بنِ رَبَاحٍ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**الصُّلْحُ جَائِزٌ بَيْنَ الْمُسْلِمِينَ**».

زَادَ أَحْمَدُ: «**إِلاَّ صُلْحًا أَحَلَّ حَرَامًا أَوْ حَرَّمَ حَلاَلاً**».

وَزَادَ سُلَيْمَانُ بنُ دَاوُدَ: وَقَالَ رَسُولُ اللَّهِ ﷺ: «**الْمُسْلِمُونَ عَلَى شُرُوطِهِمْ**».

3595 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ: أخبرني يُونُسُ، عن ابنِ شِهَابٍ قالَ: أخبرني عَبْدُ اللَّهِ بنُ كَعْبِ بنِ مَالِكٍ أَنَّ كَعْبَ بنَ مَالِكٍ أَخْبَرَهُ: أَنَّهُ تَقَاضَى ابنَ أَبِي حَدْرَدٍ دَيْنًا كَانَ لَهُ عَلَيْهِ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ فِي الْمَسْجِدِ، فَارْتَفَعَتْ أَصْوَاتُهُمَا حَتَّى سَمِعَهُمَا رَسُولُ اللَّهِ ﷺ وَهُوَ فِي بَيْتِهِ، فَخَرَجَ إِلَيْهِمَا رَسُولُ اللَّهِ ﷺ حَتَّى كَشَفَ سِجْفَ حُجْرَتِهِ وَنَادَى كَعْبَ بنَ مَالِكٍ فَقَالَ: «**يَا كَعْبُ**»، فَقَالَ: لَبَّيْكَ يَا رَسُولَ اللَّهِ، فَأَشَارَ لَهُ بِيَدِهِ أَنْ ضَعِ الشَّطْرَ مِنْ دَيْنِكَ. قالَ كَعْبٌ: قَدْ فَعَلْتُ يَا رَسُولَ اللَّهِ. قالَ النَّبِيُّ ﷺ: «**قُمْ فَاقْضِهِ**».

blessing and peace be upon him" said (to Ibn Abu Hadrad): "Get up and pay the debt to him."

[13] What About Giving Witness?

3596- It is narrated on the authority of Khalid Ibn Zaid Al-Juhani that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Should I not tell you about the best of witnesses? It is he, who bears (or brings) his (true) witness before he is asked to do so."

Abu Dawud says: Malik says: It is he who brings his witness even though such as in whose favour it is does not know it; and raises it to the ruler (according to the addition of Al-Hamdani)."

[14] When One Helps (One Of The Foes Overpower His Opponents In His) Dispute Without Knowing The Reality Of The Matter

3597- It is narrated on the authority of Yahya Ibn Rashid that he said: We sat in expectation for Abdullah Ibn Umar (to come out so that we would listen from him); and when he came out and sat with us he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, whose intercession holds back the execution of any of Allah's legal punishments, has, indeed, opposed Allah (and His Messenger); and he, who disputes with anyone over what is false, remains surrounded by Allah's Displeasure until he retracts from it; and he, who praises a faithful believer with what is not in him, Allah gets him into the lowest bottom of dirt until he leaves that."

3598- It is narrated on the authority of Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him" that he said the same, with the following addition: "And he, who helps (one of the foes overpower his opponent in his) dispute has, indeed, incurred Allah's Wrath upon himself."

[15] The False Witness

3599- It is narrated on the authority of Khuraim Ibn Fatik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" led the Morning prayer and when he (finished from the prayer and) turned away he stood and addressed us saying: "No doubt, uttering the false witness has been made equal (in severity of sin) to ascribing partners to Allah (in worship)." He said it thrice, after which he recited: "but shun the abomination of idols, and shun the word that is false, Being true in faith to Allah, and never assigning partners to Him." (Al-Hajj 30:31)

[ت13/م13] ـ باب في الشهادات

3596 ـ حدّثنا ابنُ السَّرحِ وَأحْمَدُ بنُ سَعِيدٍ الْهَمَدَانِيُّ قَالاَ: أخبرنا ابنُ وَهْبٍ، قالَ: أخبرني مَالِكُ بنُ أنَسٍ، عن عَبْدِ اللَّهِ بنِ أبي بَكْرٍ، أنَّ أبَاهُ أخْبَرَهُ أنَّ عَبْدَ اللَّهِ بنَ عَمْرِو بنَ عُثْمَانَ بنِ عَفَّانَ، أخْبَرَهُ أنَّ عَبْدَ الرَّحْمَنِ بنَ أَبِي عَمْرَةَ الأنْصَارِيَّ، أخْبَرَهُ أنَّ زَيْدَ بنَ خَالِدٍ الْجُهَنِيَّ أخْبَرَهُ، أنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**ألاَ أُخْبِرُكُمْ بِخَيْرِ الشُّهَدَاءِ؟ الَّذِي يَأْتِي بِشَهَادَتِهِ أَوْ يُخْبِرُ بِشَهَادَتِهِ قَبْلَ أَنْ يُسْأَلَهَا**» شَكَّ عَبْدُ اللَّهِ بنُ أَبِي بَكْرٍ أَيَّتَهُمَا قالَ.

قال أبُو دَاوُدَ: قَالَ مَالِكٌ: الَّذِي يُخْبِرُ بِشَهَادَتِهِ وَلاَ يَعْلَمُ بِهَا الَّذِي هِيَ لَهُ، قالَ الْهَمَدَانِيُّ: وَيَرْفَعُهَا إِلَى السُّلْطَانِ قال ابنُ السَّرْحِ: أَوْ يَأْتِي بِهَا الإِمَامَ وَالإِخْبَارُ فِي حَدِيثِ الْهَمَدَانِيِّ. قال ابنُ السَّرحِ: ابْنَ أَبِي عَمْرَةَ وَلَمْ يَقُلْ عَبْدَ الرَّحْمَنِ.

[ت14/م14] ـ باب فيمن يعين على خصومة من غير أن يعلم أَمرها

3597 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا زُهَيْرٌ: حدَّثنا عُمَارَةُ بنُ غَزِيَّةَ، عن يَحْيَى بنِ رَاشِدٍ قالَ: جَلَسْنَا لِعَبْدِ اللَّهِ بنِ عُمَرَ فَخَرَجَ إِلَيْنَا فَجَلَسَ فَقَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنْ حَالَتْ شَفَاعَتُهُ دُونَ حَدٍّ مِنْ حُدُودِ اللَّهِ فَقَدْ ضَادَّ اللَّهَ، وَمَنْ خَاصَمَ فِي بَاطِلٍ وَهُوَ يَعْلَمُهُ لَمْ يَزَلْ فِي سَخَطِ اللَّهِ حَتَّى يَنْزِعَ عَنْهُ، وَمَنْ قالَ فِي مُؤْمِنٍ مَا لَيْسَ فِيهِ أَسْكَنَهُ اللَّهُ رَدْغَةَ الْخَبَالِ حَتَّى يَخْرُجَ مِمَّا قالَ**».

3598 ـ حدّثنا عَلِيُّ بنُ الحُسَيْنِ بنِ إِبْرَاهِيمَ: حدَّثنا عُمَرُ بنُ يُونُس: حدَّثنا عاصمُ بنُ محمدِ بنِ زَيْدٍ العُمَرِيُّ قال: حدثني المثنَّى بنُ يَزِيدَ، عَنْ مَطَرٍ الوراقِ، عَنْ نافعٍ، عن ابنِ عُمَرَ، عَنِ النبيِّ ﷺ قَالَ: «**وَمَنْ أَعَانَ عَلَى خُصُومَةٍ بِظُلْمٍ فَقَدْ باءَ بِغَضَبٍ مِنَ اللَّهِ عَزَّ وَجَلَّ**».

[ت15/م15] ـ باب في شهادة الزور

3599 ـ حدّثنا يَحْيَى بنُ مُوسَى الْبَلْخِيُّ: حدَّثنا مُحَمَّدُ بنُ عُبَيْدٍ: حَدَّثَنِي سُفْيَانُ ـ يَعْنِي الْعُصْفُرِيَّ ـ، عن أَبِيهِ، عن حَبِيبِ بنِ النُّعْمَانِ الأَسَدِيِّ، عن خُرَيْمِ بنِ فَاتِكٍ قال: صَلَّى رَسُولُ اللَّهِ ﷺ صَلاَةَ الصُّبحِ فَلَمَّا انْصَرَفَ قَامَ قَائِمًا فَقَالَ: «**عُدِلَتْ شَهَادَةُ الزُّورِ بالإِشْرَاكِ باللَّهِ**» ثَلاَثَ مِرَارٍ ثُمَّ قَرَأَ: ﴿فَٱجْتَنِبُوا۟ ٱلرِّجْسَ مِنَ ٱلْأَوْثَـٰنِ وَٱجْتَنِبُوا۟ قَوْلَ ٱلزُّورِ ۝٣٠ حُنَفَآءَ لِلَّهِ غَيْرَ مُشْرِكِينَ﴾ [الحج: 30، 31].

[16] What About Such As Whose Witness Should Be Rejected

3600- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" rejected the witness of the betrayer, be it male or female, the one who has feeling of resentment towards his (Muslim) brother. He also rejected the witness of the family's hireling; and he accepted it from anyone else other than those.

3601- The same is narrated on the authority of Sulaiman Ibn Musa through the same chain of transmitters, in which the Messenger of Allah "Allah's blessing and peace be upon him" said: "Not acceptable is the witness given by a betrayer, be it male or female, an adulterer, be it male or female, and such as has feeling of resentment towards his (Muslim) brother."

[17] The Witness Of A Desert Dweller Against A Town Dweller

3602- It is narrated on the authority of Abu Hurairah that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Not acceptable is the witness of a Bedouin against a town dweller."

[18] What About The Witness Pertaining To Suckling?

3603- It is narrated on the authority of Uqbah Ibn Al-Harith that he said: I got married to Umm Yahya Bint Abu Ihab, and a black woman came to visit us, and pretended that she had suckled both of us. I went to the Messenger of Allah "Allah's blessing and peace be upon him", and made a mention of that to him, and he turned back from me. I said to him: "O Messenger of Allah! She is a liar." He said: "What makes you know (that she has told a lie in) that which she pretended? Leave her (i.e. divorce Your wife, for fear she might be your foster-sister)."

3604- The same is narrated on the authority of Uqbah Ibn Al-Harith, through another chain of transmission.

[19] The Witness Of The Non-Muslim Protectees

3605- It is narrated on the authority of Ash-Sha'bi that death approached a man at Daqawqa' (a village between Baghdad and Irbil), and he found none from amongst the Muslims to make him witness to his bequest, thereupon he made two from amongst the people of the Scripture witnesses to his bequest. (When he died) they went to Kufah, and entered upon Abu Musa Al-Ash'ari, and told him of the matter, and brought with them his heritage and bequest. Al-Ash'ari said: "This matter did not happen during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon

[ت16/م16] ـ باب من ترد شهادته

3600 ـ حدّثنا حَفْصُ بنُ عُمَرَ: حدثنا مُحَمَّدُ بنُ رَاشِدٍ: حدثنا سُلَيْمَانُ بنُ مُوسَى، عن عَمْرِو بنِ شُعَيْبٍ، عن أبيهِ، عن جَدِّهِ: «أَنَّ رَسُولَ اللَّهِ ﷺ رَدَّ شَهَادَةَ الْخَائِنِ وَالْخَائِنَةِ وَذِي الْغِمْرِ عَلَى أَخِيهِ، وَرَدَّ شَهَادَةَ الْقَانِعِ لأَهْلِ الْبَيْتِ وَأَجَازَهَا لِغَيْرِهِمْ».

قال أَبُو دَاوُدَ: الْغِمْرُ: الْحِنَةُ وَالشَّحْنَاءُ، وَالْقَانِعُ: الأَجِيرُ التَّابِعُ مِثْلُ الأَجِيرِ الْخَاصِ.

3601 ـ حدّثنا مُحَمَّدُ بنُ خَلَفِ بنِ طَارِقٍ الرَّازِيُّ: حدثنا زَيْدُ بنُ يَحْيَى بنِ عُبَيْدٍ الْخُزَاعِيُّ قالَ: حدثنا سَعِيدُ بنُ عَبْدِ الْعَزِيزِ، عن سُلَيْمَانَ بنِ مُوسَى بِإِسْنَادِهِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تَجُوزُ شَهَادَةُ خَائِنٍ وَلاَ خَائِنَةٍ، وَلاَ زَانٍ وَلاَ زَانِيَةٍ، وَلاَ ذِي غِمْرٍ عَلَى أَخِيهِ»**.

[ت17/م17] ـ باب شهادة البدوي على أهل الأمصار

3602 ـ حدّثنا أَحْمَدُ بنُ سَعِيدٍ الْهَمَدَانِيُّ: أخبرنا ابنُ وَهْبٍ: أخبرني يَحْيَى بنُ أَيُّوبَ وَنَافِعُ بنُ يَزِيدَ، عن ابنِ الْهَادِ، عن مُحَمَّدِ بنِ عَمْرِو بنِ عَطَاءٍ، عن عَطَاءِ بنِ يَسَارٍ، عن أَبِي هُرَيْرَةَ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«لاَ تَجُوزُ شَهَادَةُ بَدَوِيٍّ عَلَى صَاحِبِ قَرْيَةٍ»**.

[ت18/م18] ـ باب الشهادة على الرضاع

3603 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ، أخبرنا حَمَّادُ بنُ زَيْدٍ، عن أَيُّوبَ، عن ابنِ أَبِي مُلَيْكَةَ قالَ: حَدَّثَنِي عُقْبَةُ بنُ الْحَارِثِ وَحَدَّثَنِيهِ صَاحِبٌ لِي عَنْهُ وَأَنَا لِحَدِيثِ صَاحِبِي أَحْفَظُ قالَ: تَزَوَّجْتُ أُمَّ يَحْيَى بِنْتَ أَبِي إِهَابٍ فَدَخَلَتْ عَلَيْنَا امْرَأَةٌ سَوْدَاءُ فَزَعَمَتْ أَنَّهَا أَرْضَعَتْنَا جَمِيعًا، فَأَتَيْتُ النَّبِيَّ ﷺ فَذَكَرْتُ ذَلِكَ لَهُ، فَأَعْرَضَ عَنِّي فَقُلْتُ: يَا رَسُولَ اللَّهِ إِنَّهَا لَكَاذِبَةٌ قالَ: **«وَمَا يُدْرِيكَ وَقَدْ قَالَتْ مَا قَالَتْ؟ دَعْهَا عَنْكَ»**.

3604 ـ حدّثنا أَحْمَدُ بنُ أَبِي شُعَيْبٍ الْحَرَّانِيُّ: أخبرنا الْحَارِثُ بنُ عُمَيْرٍ الْبَصْرِيُّ. (ح)، وَحدثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: أخبرنا إِسْمَاعِيلُ بنُ عُلَيَّةَ كِلاَهُمَا، عن أَيُّوبَ، عن ابنِ أَبِي مُلَيْكَةَ، عن عُبَيْدِ بنِ أَبِي مَرْيَمَ، عن عُقْبَةَ بنِ الْحَارِثِ وَقَدْ سَمِعْتُهُ مِنْ عُقْبَةَ، وَلَكِنِّي لِحَدِيثِ عُبَيْدٍ أَحْفَظُ فَذَكَرَ مَعْنَاهُ.

قال أَبُو دَاوُدَ: نَظَرَ حَمَّادُ بنُ زَيْدٍ إِلَى الْحَارِثِ بنِ عُمَيْرٍ فَقَالَ: هَذَا مِنْ ثِقَاتِ أَصْحَابِ أَيُّوبَ.

[ت19/م19] ـ باب شهادة أهل الذمة في الوصية في السفر

3605 ـ حدّثنا زِيَادُ بنُ أَيُّوبَ: أخبرنا هُشَيْمٌ، أخبرنا زَكَرِيَّا، عن الشَّعْبِيِّ: «أَنَّ رَجُلاً مِنَ الْمُسْلِمِينَ حَضَرَتْهُ الْوَفَاةُ بِدَقُوقَاءَ هَذِهِ وَلَمْ يَجِدْ أَحَدًا مِنَ الْمُسْلِمِينَ يُشْهِدُهُ عَلَى وَصِيَّتِهِ فَأَشْهَدَ رَجُلَيْنِ مِنْ أَهْلِ الْكِتَابِ فَقَدِمَا الْكُوفَةَ فَأَتَيَا أَبَا مُوسَى الأَشْعَرِيَّ فَأَخْبَرَاهُ وَقَدِمَا بِتَرِكَتِهِ وَوَصِيَّتِهِ فَقَالَ الأَشْعَرِيُّ: هَذَا أَمْرٌ لَمْ يَكُنْ بَعْدَ الَّذِي كَانَ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ فَأَحْلَفَهُمَا

him"." After (offering the) Asr prayer, he made them take an oath they did not betray, nor tell a lie, nor change anything, nor conceal anything; and that it was just the same bequest of the man, as well as this was his heritage. On that he sanctioned their witness.

3606- It is narrated on the authority of Ibn Abbas that he said: A man from (the tribe of) Sahm went out on journey with Tamim Ad-Dari and Adi Ibn Bada'. He died in a town, which had none of Muslims. His two companions returned with his heritage, from which a cup of silver inscribed with gold lines was lost. The Prophet "Allah's blessing and peace be upon him" got them swear (that they did not take it). Later, this cup was found in Mecca. When The Prophet "Allah's blessing and peace be upon him" asked about it, its owners answered that they had purchased it from both of Adi and Tamim. Two companions of the deceased man of Sahm stood up and said to The Prophet "Allah's blessing and peace be upon him": "By Allah! Our witness is more reliable than theirs." They confirmed that the cup belonged to their deceased companion. On them the following saying of Allah was revealed: "O you who believe when death approaches any of you, (take) witnesses among yourselves when making bequests, two just men of your own (brotherhood) or others..." (The Repast "Al-Ma'idah" 106).

[20] When The Ruler Is Assured Of The Truthfulness Of The Single Witness, It Is Permissible To Pass His Judgement Depending Upon It

3607- It is narrated on the authority of Imarah Ibn Khuzaimah Al-Ansari that his uncle, who was one of the companions of the Messenger of Allah "Allah's blessing and peace be upon him", told him that the Messenger of Allah "Allah's blessing and peace be upon him" purchased a horse from a desert man, and he told him to follow him in order to take its price, and then the Messenger of Allah "Allah's blessing and peace be upon him" hastened to proceed, and the desert man delayed in his movement. Then, some people stood in the way of the desert man, and started to bargain with him on the horse, without knowing that the Messenger of Allah "Allah's blessing and peace be upon him" had bought it, and as a result of outbidding, one of them offered a price for the horse more than that suggested by the Messenger of Allah "Allah's blessing and peace be upon him" with which he bought the horse. Upon this, the desert man called the Messenger of Allah "Allah's blessing and peace be upon him" saying: "If you want to buy this horse, then do it, otherwise, let me sell it (to another one else)." When the Messenger of Allah "Allah's blessing and peace be upon him" heard the call of the desert man, he got up and said: "Have I

بَعْدَ الْعَصْرِ باللَّهِ مَا خَانَا وَلاَ كَذَبَا وَلاَ بَدَّلاَ وَلاَ كَتَمَا وَلاَ غَيَّرَا، وَإِنَّهَا لَوَصِيَّةُ الرَّجُلِ وَتَرِكَتُهُ، فَأَمْضَى شَهادَتَهُمَا».

3606 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: أخبرنا يَحْيَى بنُ آدَمَ: أخبرنا ابنُ أَبِي زَائِدَةَ، عن مُحَمَّدِ بنِ أَبِي الْقَاسِمِ، عن عَبْدِ المَلِكِ بنِ سَعِيدِ بنِ جُبَيْرٍ، عنْ أَبِيهِ، عن ابنِ عَبَّاسٍ قالَ: «خَرَجَ رَجُلٌ مِنْ بَنِي سَهْمٍ مَعَ تَمِيمٍ الدَّارِيِّ وَعَدِيِّ بنِ بَدَّاءٍ فَمَاتَ السَّهْمِيُّ بِأَرْضٍ لَيْسَ بِهَا مُسْلِمٌ، فَلَمَّا قَدِمَا بِتَرِكَتِهِ فَقَدُوا جَامَ فِضَّةٍ مُخَوَّصًا بِالذَّهَبِ، فَأَحْلَفَهُمَا رَسُولُ اللَّهِ ﷺ ثُمَّ وُجِدَ الْجَامُ بِمَكَّةَ، فَقَالُوا: اشْتَرَيْنَاهُ مِنْ تَمِيمٍ وَعَدِيٍّ فَقَامَ رَجُلاَنِ مِنْ أَوْلِيَاءِ السَّهْمِيِّ فَحَلَفَا لَشَهَادَتُنَا أَحَقُّ مِنْ شَهَادَتِهِمَا وَإِنَّ الْجَامَ لِصَاحِبِهِمْ قالَ: فَنَزَلَتْ فِيهِمْ: ﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُواْ شَهَٰدَةُ بَيْنِكُمْ إِذَا حَضَرَ أَحَدَكُمُ ٱلْمَوْتُ﴾ [المائدة: 106] الآيَةَ».

[ت20/م20] ـ باب إذا علم الحاكم صدق الشاهد الواحد يجوز له أن يحكم به

3607 ـ حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَارِسٍ أَنَّ الْحَكَمَ بنَ نَافِعٍ حَدَّثَهُمْ، قالَ: أخبرنا شُعَيْبٌ، عن الزُّهْرِيِّ، عن عُمَارَةَ بنِ خُزَيْمَةَ أَنَّ عَمَّهُ حَدَّثَهُ وَهُوَ مِنْ أَصْحَابِ النَّبِيِّ ﷺ: «أَنَّ النَّبِيَّ ﷺ ابْتَاعَ فَرَسًا مِنْ أَعْرَابِيٍّ فَاسْتَتْبَعَهُ النَّبِيُّ ﷺ لِيَقْضِيَهُ ثَمَنَ فَرَسِهِ فَأَسْرَعَ رَسُولُ اللَّهِ ﷺ المَشْيَ وَأَبْطَأَ الأَعْرَابِيُّ فَطَفِقَ رِجَالٌ يَعْتَرِضُونَ الأَعْرَابِيَّ فَيُسَاوِمُونَهُ بالْفَرَسِ وَلاَ يَشْعُرُونَ أَنَّ النَّبِيَّ ﷺ ابْتَاعَهُ، فَنَادَى الأَعْرَابِيُّ رَسُولَ اللَّهِ ﷺ فَقَالَ: إِنْ كُنْتَ مُبْتَاعًا هَذَا الْفَرَسَ وَإِلاَّ بِعْتُهُ فَقَامَ النَّبِيُّ ﷺ حِينَ سَمِعَ نِدَاءَ الأَعْرَابِيِّ فقالَ:

not purchased it from you?" the desert man said: "No, by Allah, I've not sold it to you." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Nay! No doubt, I've purchased it from you." The desert man said: "Then, bring a witness to bear testimony that I've sold it to you." Upon this Khuzaimah said: "I bear testimony that you've sold it to him." the Messenger of Allah "Allah's blessing and peace be upon him" turned to Khuzaimah and said: "On which thing do you depend in such a testimony given by you?" he said: "Depending upon my trust in you, O Messenger of Allah." upon this Allah's Messenger "Allah's blessing and peace be upon him" made any testimony given by Khuzaimah equal to that of two witnesses.

[21] Passing Judgement Depending Upon An Oath And A Witness (From The Part Of The Plaintiff To Affirm His Claim)

3608- It is narrated on the authority of Ibn Abbas that the Prophet "Allah's blessing and peace be upon him" passed a judgement depending upon an oath and a witness (presented by the plaintiff).

3609- The same is narrated on the authority of Amr Ibn Dinar through the same chain of transmission.

3610- It is narrated on the authority of Abu Hurairah that the Prophet "Allah's blessing and peace be upon him" passed a judgement depending upon an oath supported by a witness (presented by the plaintiff).

3611- The same is narrated on the authority of Rabie'ah, through the same chain of transmission. Sulaiman said: I met Suhail and asked him about that narration, and he told that he had no knowledge of it. I said to him: Rabie'ah related it to me on your authority. On that he said: If Rabie'ah has related it to you on the authority of me, then, (there is no harm to) relate it on the authority of Rabie'ah from me.

3612- It is narrated on the authority of Ammar Ibn Shu'aib Ibn Abdullah Ibn Az-Zabib that he said: My father told me: I heard my grandfather Az-Zabib saying: The Messenger of Allah "Allah's blessing and peace be upon him" dispatched a military expedition to Anbar, and they took as captives its inhabitants to a valley belonging to Ta'if, from where they drove them to the Messenger of Allah "Allah's blessing and peace be upon him". I rode (my horse) and came ahead of them to the Messenger of Allah "Allah's blessing and peace be upon him", and I said: "Allah's Peace, Mercy and Blessing be upon you O Prophet of Allah! Your soldiers came and took us as captives, even though we had embraced Islam earlier, and cut the edge of

«**أَوَلَيْسَ قَدِ ابْتَعْتُهُ مِنْكَ؟**» قالَ الأَعْرَابِيُّ: لاَ وَاللَّهِ مَا بِعْتُكَهُ، فقالَ النَّبِيُّ ﷺ: «**بَلَى قَدِ ابْتَعْتُهُ مِنْكَ**»، فَطَفِقَ الأَعْرَابِيُّ يَقُولُ: هَلُمَّ شَهِيدًا، فقال خُزَيْمَةُ بنُ ثَابِتٍ: أَنَا أَشْهَدُ أَنَّكَ قَدْ بَايَعْتَهُ، فَأَقْبَلَ النَّبِيُّ ﷺ عَلَى خُزَيْمَةَ فَقَالَ: «**بِمَ تَشْهَدُ؟**» فَقَالَ: بِتَصْدِيقِكَ يَا رَسُولَ اللَّهِ، فَجَعَلَ النَّبِيُّ ﷺ شَهَادَةَ خُزَيْمَةَ بِشَهَادَةِ رَجُلَيْنِ».

[ت21/م21] ـ باب القضاء باليمين والشاهد

3608 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ وَالْحَسَنُ بنُ عَلِيٍّ أَنَّ زَيْدَ بنَ الْحُبَابِ حَدَّثَهُمْ، قالَ: أخبرنا سَيْفٌ المَكِّيُّ، قالَ عُثْمَانُ: سَيْفُ بنُ سُلَيْمَانَ، عن قَيْسِ بنِ سَعْدٍ، عن عَمْرِو بنِ دِينَارٍ، عن ابنِ عَبَّاسٍ: «أَنَّ رَسُولَ اللَّهِ ﷺ قَضَى بِيَمِينٍ وَشَاهِدٍ».

3609 ـ حدّثنا مُحَمَّدُ بنُ يَحْيَى وَسَلَمَةُ بنُ شَبِيبٍ قالاَ: أخبرنا عَبْدُ الرَّزَّاقِ، قالَ: أخبرنا مُحَمَّدُ بنُ مُسْلِمٍ، عن عَمْرِو بنِ دِينَارٍ بِإِسْنَادِهِ وَمَعْنَاهُ. قالَ سَلَمَةُ فِي حَدِيثِهِ: قالَ عَمْرٌو: في الْحُقُوقِ.

3610 ـ حدّثنا أَحْمَدُ بنُ أَبِي بَكْرٍ أَبُو مُصْعَبٍ الزُّهْرِيُّ، قال: أخبرنا الدَّرَاوَرْدِيُّ، عن رَبِيعَةَ بنِ أَبِي عَبْدِ الرَّحْمَنِ، عن سُهَيْلِ بنِ أَبِي صَالِحٍ، عن أَبِيهِ، عن أَبِي هُرَيْرَةَ: «أَنَّ النَّبِيَّ ﷺ قَضَى بالْيَمِينِ مَعَ الشَّاهِدِ».

قال أَبُو دَاوُدَ: وَزَادَنِي الرَّبِيعُ بنُ سُلَيْمَانَ المُؤَذِّنُ فِي هَذَا الْحَدِيثِ، قال: أنبأنا الشَّافِعِيُّ، عن عَبْدِ الْعَزِيزِ قالَ: فَذَكَرْتُ ذَلِكَ لِسُهَيْلٍ فقالَ: أخبرني رَبِيعَةُ وَهُوَ عِنْدِي ثِقَةٌ أَنِّي حَدَّثْتُهُ إِيَّاهُ وَلاَ أَحْفَظُهُ، قال عَبدُ الْعَزِيزِ: وَقَدْ كَانَ أَصَابَتْ سُهَيْلاً عِلَّةٌ أَذْهَبَتْ بَعْضَ عَقْلِهِ وَنَسِيَ بَعْضَ حَدِيثِهِ، فَكَانَ سُهَيْلٌ بَعْدُ يُحَدِّثُهُ عن رَبِيعَةَ عَنْهُ عن أَبِيهِ.

3611 ـ حدّثنا مُحَمَّدُ بنُ دَاوُدَ الإِسْكَنْدَرَانِيُّ: أخبرنا زِيَادٌ ـ يَعْنِي ابنَ يُونُسَ ـ: حَدَّثَنِي سُلَيْمَانُ بنُ بِلاَلٍ، عن رَبِيعَةَ بِإِسْنَادِ أَبِي مُصْعَبٍ وَمَعْنَاهُ، قال سُلَيْمَانُ: فَلَقِيتُ سُهَيْلاً فَسَأَلْتُهُ عَنْ هَذَا الْحَدِيثِ فَقَالَ: مَا أَعْرِفُهُ، فَقُلْتُ لَهُ: إِنَّ رَبِيعَةَ أَخْبَرَنِي بِهِ عَنْكَ، قال: فَإِنْ كَانَ رَبِيعَةُ أَخْبَرَكَ عَنِّي فَحَدِّثْ بِهِ عَنْ رَبِيعَةَ عَنِّي.

3612 ـ حدّثنا أَحْمَدُ بنُ عَبْدَةَ: حدَّثنا عَمَّارُ بنُ شُعَيْث بنِ عُبَيدِ اللَّهِ بنِ الزُّبَيْبِ الْعَنْبَرِيُّ، حَدَّثَنِي أَبِي قَالَ: سَمِعْتُ جَدِّيَ الزُّبَيْبَ يَقُولُ: «بَعَثَ رَسُولُ اللَّهِ ﷺ جَيْشًا إِلَى بَنِي الْعَنْبَرِ فَأَخَذُوهُمْ بِرُكْبَةٍ مِنْ نَاحِيَةِ الطَّائِفِ، فَاسْتَاقُوهُمْ إِلَى نَبِيِّ اللَّهِ ﷺ، فَرَكِبْتُ فَسَبَقْتُهُمْ إِلَى النَّبِيِّ ﷺ فَقُلْتُ: السَّلاَمُ عَلَيْكَ يَا نَبِيَّ اللَّهِ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ أَتَانَا جُنْدُكَ فَأَخَذُونَا وَقَدْ كُنَّا أَسْلَمْنَا وَخَضْرَمْنَا آذَانَ النَّعَمِ.

the ears of our cattle (portending our conversion into Islam)." When those of Anbar were brought, the Messenger of Allah "Allah's blessing and peace be upon him" asked me: "Do you have evidence that you had embraced Islam before you were taken as captives recently?" I answered in the affirmative. He asked me: "What is your evidence?" I said: "(The witness of) Samurah, a man belonging to the Anbar, and another man" whom he named to him. This man bore witness (in their favour), but Samurah refused to bear witness. On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Samurah refused to bear witness in your favour: do you support your witness with an oath you take (to affirm your claim)?" I answered in the affirmative. He asked me to take oath, and I took oath by Allah that we had embraced Islam on such and such a day, and cut the edge of the ears of the cattle (portending our conversion into Islam)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said (to his soldiers): "Go and take half their property, and do not touch with harm any of their offspring. However, had it not been for the fact that Allah Almighty never loves the falsehood of deeds, surely, we would have taken naught even a rope (of your property)." Az-Zabib further said: My mother invited me, and said: "This man has taken my carpet." I turned soon to the Messenger of Allah "Allah's blessing and peace be upon him", and told him of that, and he ordered me to detain him, and I caught hold of the ends of his garment on him, and remained with him in our place. The Messenger of Allah "Allah's blessing and peace be upon him" cast a glimpse of us while standing and said to me: "What do you want to do with your captive?" I set him free from my hand, and the Messenger of Allah "Allah's blessing and peace be upon him" said to the man: "Give back to this man the carpet of his mother you've taken from her." He said: "O Prophet of Allah! It has become now not in my possession." The Messenger of Allah "Allah's blessing and peace be upon him" dismantled him of his sword and gave it to me and said to him: "Go and give him an increase of a Sa of foodstuff." The man (went with me and) gave me an increase of a Sa' of parley.

[22] When Two Men Have Claim Over One Thing And None Of Them Has Evidence (To Affirm His Claim)

3613- It is narrated on the authority of Abu Musa that two men had claim over a camel in front of the Messenger of Allah "Allah's blessing and peace be upon him", and none of them had evidence (to affirm his claim), thereupon the Messenger of Allah "Allah's blessing and peace be upon him" divided it between both of them.

فَلَمَّا قَدِمَ بَلْعَنْبَرُ، قالَ لِي نَبِيُّ اللَّهِ ﷺ: «**هَلْ لَكُمْ بَيِّنَةٌ عَلَى أَنَّكُمْ أَسْلَمْتُمْ قَبْلَ أَنْ تُؤْخَذُوا فِي هَذِهِ الأَيَّامِ؟**» قُلْتُ: نَعَمْ، قالَ: «**مَنْ بَيِّنَتُكَ؟**» قُلْتُ: سَمُرَةُ رَجُلٌ مِنْ بَنِي الْعَنْبَرِ وَرَجُلٌ آخَرُ سَمَّاهُ لَهُ، فَشَهِدَ الرَّجُلُ وَأَبَى سَمُرَةُ أَنْ يَشْهَدَ، فَقَالَ نَبِيُّ اللَّهِ ﷺ: «**قَدْ أَبَى أَنْ يَشْهَدَ لَكَ فَتَحْلِفُ مَعَ شَاهِدِكَ الآخَرِ؟**»، قُلْتُ نَعَمْ فَاسْتَحْلَفَنِي فَحَلَفْتُ بِاللَّهِ لَقَدْ أَسْلَمْنَا يَوْمَ كَذَا وَكَذَا، وَخَضْرَمْنَا آذَانَ النَّعَمِ، فَقَالَ نَبِيُّ اللَّهِ ﷺ: «**اذْهَبُوا فَقَاسِمُوهُمْ أَنْصَافَ الأَمْوَالِ وَلاَ تَمَسُّوا ذَرَارِيَّهُمْ لَوْلاَ أَنَّ اللَّهَ تَعَالَى لاَ يُحِبُّ ضَلاَلَةَ الْعَمَلِ مَا رَزَيْنَاكُمْ عِقَالاً**».

قال الزُّبَيْبُ: فَدَعَتْنِي أُمِّي فَقَالَتْ: هَذَا الرَّجُلُ أَخَذَ زِرْبِيَّتِي فَانْصَرَفْتُ إِلَى نَبِيِّ اللَّهِ ﷺ ـ يَعْنِي فَأَخْبَرْتُهُ ـ فَقَالَ لِي: «**احْبِسْهُ**»، فَأَخَذْتُ بِتَلْبِيبِهِ وَقُمْتُ مَعَهُ مَكَانَنَا، ثُمَّ نَظَرَ إِلَيْنَا نَبِيُّ اللَّهِ ﷺ قَائِمَيْنِ فقالَ: «**مَا تُرِيدُ بِأَسِيرِكَ؟**» فَأَرْسَلْتُهُ مِنْ يَدِي، فَقَامَ نَبِيُّ اللَّهِ ﷺ فَقَالَ لِلرَّجُلِ: «**رُدَّ عَلَى هَذَا زِرْبِيَّةَ أُمِّهِ الَّتِي أَخَذْتَ مِنْهَا**»، قالَ: يَا نَبِيَّ اللَّهِ إِنَّهَا خَرَجَتْ مِنْ يَدِي، قال: فَاخْتَلَعَ نَبِيُّ اللَّهِ ﷺ سَيْفَ الرَّجُلِ فَأَعْطَانِيهِ فقالَ لِلرَّجُلِ: «**اذْهَبْ فَزِدْهُ آصُعًا مِنْ طَعَامٍ**»، قالَ: فَزَادَنِي آصُعًا مِنْ شَعِيرٍ».

[ت22/م22] ـ باب الرجلين يدّعيان شيئًا وليست لهما بيّنة

3613 ـ حدّثنا مُحَمَّدُ بنُ مِنْهَالٍ الضَّرِيرُ: حدَّثنا يَزِيدُ بنُ زُرَيْعٍ: حدَّثنا ابنُ أَبي عَرُوبَةَ، عن قَتَادَةَ، عن سَعِيدِ بنِ أَبي بُرْدَةَ، عن أَبِيهِ، عن جَدِّهِ أَبِي مُوسَى الأَشْعَرِيِّ: «أَنَّ رَجُلَيْنِ ادَّعَيَا بَعِيرًا أَوْ دَابَّةً إِلَى النَّبِيِّ ﷺ لَيْسَتْ لِوَاحِدٍ مِنْهُمَا بَيِّنَةٌ، فَجَعَلَهُ النَّبِيُّ ﷺ بَيْنَهُمَا».

3614- The same is narrated on the authority of Sa'id, through the same chain of transmission.

3615- The same is narrated on the authority of Qatadah, through the same chain of transmission, in which, two men had claim over the same camel during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", and each brought two witnesses, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" divided it into two halves between them.

3616- It is narrated on the authority of Abu Hurairah that two men fell in dispute over the same luggage and none of them had evidence (to support his claim), thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to them: "Cast lots over (and anyone of you upon whom the lot falls would take oath therewith he would have the luggage in dispute)", whether they liked or disliked that.

3617- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If two opponents dislike or even like or are forced to take oath (to affirm their claim), let them cast lots over (which of them should take) it."

3618- A Hadith like this is narrated on the authority of Sa'id Ibn Urubah, through the same chain of transmission, in which he told that they had claim over the same riding mount, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" ordered them to cast lots over (which of them should take) oath (first to affirm his claim).

[23] The Defendant Should Take Oath (To Refute The Claim)

3619- It is narrated on the authority of Ibn Abu Mulaikah that he said: Ibn Abbas wrote to me (a message in which he told me) that the Messenger of Allah "Allah's blessing and peace be upon him" judged that the defendant should take oath (to refute the claim).

[24] How Should The Oath Be Taken?

3620- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" said to the man whom he asked to take oath (to refute the claim): "Swear by Allah, other than Whom there is no god (to be worshipped) that he (the claimant) has nothing with you."

3614 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا يَحْيَى بنُ آدَمَ: حدَّثنا عَبْدُ الرَّحِيمِ بنُ سُلَيْمَانَ، عن سَعِيدٍ بِإِسْنَادِهِ وَمَعْنَاهُ.

3615 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ: حدَّثنا حَجَّاجُ بنُ مِنْهَالٍ: حدَّثنا هَمَّامٌ، عن قَتَادَةَ بِمَعْنَى إِسْنَادِهِ: «أَنَّ رَجُلَيْنِ ادَّعَيَا بَعِيرًا عَلَى عَهْدِ النَّبِيِّ ﷺ فَبَعَثَ كلُّ وَاحِدٍ مِنْهُمَا شَاهِدَيْنِ، فَقَسَمَهُ النَّبِيُّ ﷺ بَيْنَهُمَا نِصْفَيْنِ».

3616 ـ حدّثنا مُحَمَّدُ بنُ مِنْهَالٍ: حدَّثنا يَزِيدُ بنُ زُرَيْعٍ: حدَّثنا ابنُ أَبي عَرُوبَةَ، عن قَتَادَةَ، عن خِلاَسٍ، عن أَبي رَافِعٍ، عن أَبي هُرَيْرَةَ: أَنَّ رَجُلَيْنِ اخْتَصَمَا فِي مَتَاعٍ إِلَى النَّبِيِّ ﷺ، لَيْسَ لِوَاحِدٍ مِنْهُمَا بَيِّنَةٌ، فقالَ النَّبِيُّ ﷺ: «**اسْتَهِمَا عَلَى الْيَمِينِ مَا كَانَ، أَحَبَّا ذَلِكَ أَوْ كَرِهَا**».

3617 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ وَسَلَمَةُ بنُ شَبِيبٍ قالاَ: حدَّثنا عَبْدُ الرَّزَّاقِ، قالَ أَحْمَدُ: قالَ: أخبرنا مَعْمَرٌ، عن هَمَّامِ بنِ مُنَبِّهٍ، عن أَبي هُرَيْرَةَ، عن النَّبِيِّ ﷺ قالَ: «**إِذَا كَرِهَ الاثْنَانِ الْيَمِينَ أَوِ اسْتَحَبَّاهَا فَلْيَسْتَهِمَا عَلَيْهَا**».

قالَ سَلَمَةُ: قالَ: أخبرنا مَعْمَرٌ وقالَ: «**إِذَا أُكْرِهَ الاثْنَانِ عَلَى الْيَمِينِ**».

3618 ـ حدّثنا أَبُو بَكْرِ بنُ أَبِي شَيْبَةَ: حدَّثنا خَالِدُ بنُ الْحَارِثِ، عن سَعِيدِ بنِ أَبِي عَرُوبَةَ بِإِسْنَادِ ابنِ مِنْهَالٍ مِثْلَهُ قالَ: «فِي دَابَّةٍ وَلَيْسَ لَهُمَا بَيِّنَةٌ فَأَمَرَهُمَا رَسُولُ اللَّهِ ﷺ أَنْ يَسْتَهِمَا عَلَى الْيَمِينِ».

[ت23/م23] ـ باب اليمين على المدعى عليه

3619 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ الْقَعْنَبِيُّ قالَ: حدَّثنا نَافِعُ بنُ عُمَرَ، عن ابنِ أَبِي مُلَيْكَةَ قالَ: «كَتَبَ إِلَيَّ ابنُ عَبَّاسٍ أَنَّ رَسُولَ اللَّهِ ﷺ قَضَى بالْيَمِينِ عَلَى الْمُدَّعَى عَلَيْهِ».

[ت24/م24] ـ باب كيف اليمين

3620 ـ حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو الأَحْوَصِ: حدَّثنا عَطَاءُ بنُ السَّائِبِ، عن أَبِي يَحْيَى، عن ابنِ عَبَّاسٍ: «أَنَّ رَسُولَ اللَّهِ ﷺ قالَ ـ يَعْنِي لِرَجُلٍ حَلَّفَهُ ـ: «**احْلِفْ باللَّهِ الَّذِي لاَ إِلَهَ إِلاَّ هُوَ مَا لَهُ عِنْدَكَ شَيْءٌ**» ـ يَعْنِي الْمُدَّعِي ـ».

قال أَبُو دَاوُدَ: أَبُو يَحْيَى اسْمُهُ زِيَادٌ. كُوفِيٌّ ثِقَةٌ.

[25] If The Defendant Is A Non-Muslim Protectee: Should He Take Oath (To Refute The Claim)?

3621- It is narrated on the authority of Al-Ash'ath that he said: I had common land with a Jew, who later denied my ownership, so I took him to The Prophet "Allah's blessing and peace be upon him" who asked me whether I had a proof of my ownership. When I replied in the negative, The Prophet "Allah's blessing and peace be upon him" asked the Jew to take an oath. I said: "O Allah's Apostle! He will take an oath and deprive me of my property." So, Allah revealed the following verse: " As for those who sell the Faith they own to Allah and their own plighted word for a small price, they shall have no portion in the Hereafter: nor will Allah (deign to) speak to them or look at them on the day of judgment, nor will he cleanse them (of sin): they shall have a grievous penalty." (Al Imran 77)

[26] A Man Should Take Oath To His Best Knowledge Over What Escapes From Him

3622- It is narrated on the authority of Al-Ash'ath Ibn Qais that once, a man from Kindah disputed with another one from Hadramaut over a piece of land in Yemen in front of the Messenger of Allah "Allah's blessing and peace be upon him". The man of Hadramaut said: "O Messenger of Allah! It is my land, and it was illegally usurped by the father of this (my opponent), and now it is in his possession." The Messenger of Allah "Allah's blessing and peace be upon him" asked: "Do you have evidence (in order to support your claim)?" he said: "No," but I take an oath by Allah that he knows for certain that it is my land, and his father illegally usurped it." When the man of Kindah got ready to take an oath (to refute the claim)...and the rest is the same.

3623- It is narrated on the authority of Wa'il Ibn Hujr that he said: A man from Hadramaut and another from Kindah came to the Messenger of Allah "Allah's blessing and peace be upon him" and the former said: "O Messenger of Allah! This man (my opponent) overpowered me and usurped illegally my land from me, and it was in the possession of my father." The latter said: "It is my own land: it is in my possession, and I'm cultivating it, and he has no right in it." The Messenger of Allah "Allah's blessing and peace be upon him" said to the man of Hadramaut: "Do you have evidence?" he answered in the negative. He said: "Then, his (your opponent's) oath refutes your claim." He said: "O Messenger of Allah! He is a wicked man, and he does not care as for which he takes his oath, since he is too daring to do everything." The Messenger of Allah "Allah's

[ت25/م25] ـ باب إذا كان المدّعى عليه ذمّيًا أيحلف؟

3621 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى: حدَّثنا أَبُو مُعَاوِيَةَ: حدَّثنا الأَعْمَشُ، عن شَقِيقٍ، عن الأَشْعَثِ قال: «كَانَ بَيْنِي وَبَيْنَ رَجُلٍ مِنَ الْيَهُودِ أَرْضٌ فَجَحَدَنِي فَقَدَّمْتُهُ إِلَى النَّبِيِّ ﷺ، فَقَالَ لِي النَّبِيُّ ﷺ: «**أَلَكَ بَيِّنَةٌ؟**» قُلْتُ: لاَ، قالَ لِلْيَهُودِيِّ: «**احْلِفْ**»، قُلْتُ: يَا رَسُولَ اللَّهِ إِذًا يَحْلِفُ وَيَذْهَبُ بِمَالِي، فَأَنْزَلَ اللَّهُ: ﴿إِنَّ ٱلَّذِينَ يَشْتَرُونَ بِعَهْدِ ٱللَّهِ وَأَيْمَـٰنِهِمْ ثَمَنًا قَلِيلًا﴾ [آل عمران: 77] إِلَى آخِرِ الآيَةِ».

[ت26/م26] ـ باب الرجل يَحْلِف على علمه فيما غاب عنه

3622 ـ حدّثنا مَحْمُودُ بنُ خَالِدٍ الْفِرْيَابِيُّ: حدَّثنا الْحَارِثُ بنُ سُلَيْمَانَ: حَدَّثَنِي كُرْدُوسُ، عن الأَشْعَثِ بنِ قَيْسٍ: «أَنَّ رَجُلاً مِنْ كِنْدَةَ وَرَجُلاً مِنْ حَضْرَمَوتَ اخْتَصَمَا إِلَى النَّبِيِّ ﷺ فِي أَرْضٍ مِنَ الْيَمَنِ، فَقَالَ الْحَضْرَمِيُّ: يَا رَسُولَ اللَّهِ إِنَّ أَرْضِي اغْتَصَبَنِيهَا أَبُو هَذَا وَهِيَ فِي يَدِهِ، قالَ: «**هَلْ لَكَ بَيِّنَةٌ؟**» قالَ: لاَ، وَلَكِنْ أُحَلِّفُهُ وَاللَّهِ مَا يَعْلَمُ أَنَّهَا أَرْضِي اغْتَصَبَنِيهَا أَبُوهُ! فَتَهَيَّأَ الْكِنْدِيُّ ـ يَعْنِي لِلْيَمِينِ ـ» وَسَاقَ الْحَدِيثَ.

3623 ـ حدّثنا هَنَّادُ بنُ السَّرِيِّ: حدَّثنا أَبُو الأَحْوَصِ، عن سِمَاكٍ، عن عَلْقَمَةَ بنِ وَائِلِ بنِ حُجْرٍ الْحَضْرَمِيِّ، عن أَبِيهِ قالَ: جَاءَ رَجُلٌ مِنْ حَضْرَمَوْتَ وَرَجُلٌ مِنْ كِنْدَةَ إِلَى رَسُولِ اللَّهِ ﷺ، فَقَالَ الْحَضْرَمِيُّ: يَا رَسُولَ اللَّهِ إِنَّ هَذَا غَلَبَنِي عَلَى أَرْضٍ كَانَتْ لأَبِي، فَقَالَ الْكِنْدِيُّ: هِيَ أَرْضِي فِي يَدِي أَزْرَعُهَا لَيْسَ لَهُ فِيهَا حَقٌّ، فَقَالَ النَّبِيُّ ﷺ لِلْحَضْرَمِيِّ: «**أَلَكَ بَيِّنَةٌ؟**»، قالَ: لاَ، قالَ: «**فَلَكَ يَمِينُهُ**»، قالَ: يَا رَسُولَ اللَّهِ إِنَّهُ فَاجِرٌ لَيْسَ يُبَالِي مَا حَلَفَ لَيْسَ يَتَوَرَّعُ مِنْ

blessing and peace be upon him" said: "You have nothing to do with him other than that."

[27] How Should A Non-Muslim Protectee Take Oath?

3624- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said to the Jews: "I beseech you by Allah, Who has sent the Torah upon (the Prophet) Moses: which (punishment) do you find in the Torah pertaining to the adulterer?"...and he narrated the story of stoning to death.

3625- The same is narrated on the authority of Az-Zuhri from Sa'id Ibn Al-Musayyab, through the same chain of transmission.

3626- It is narrated on the authority of Ikrimah that the Messenger of Allah "Allah's blessing and peace be upon him" said to Ibn Suryah, the Jewish Rabbi: "I remind you of Allah, Who delivered you from the family of Pharaoh, split the sea into two halves (with a dry way in between them) for you (to cross safely), and shaded you with the shade, and sent down both Manna and quails to you, and revealed the Torah to Moses: do you find the (punishment of) stoning to death (binding upon such as commits fornication)?" he said: "No doubt, you've reminded me of the Great One, therewith I could not tell you a lie."...and he narrated the rest of the story.

[28] When A Man Takes Oath To Affirm His Right

3627- It is narrated on the authority of Malik Ibn Awf that the Messenger of Allah "Allah's blessing and peace be upon him" passed a judgement to settle a dispute between two opponents, and when the one against whom the judgement came went away he said: "Allah suffices me for the best Disposer of affairs." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, Allah Almighty blames one for his failure (to abide by what is right), but you should stick to reason, and if you are overpowered by anything, say: "Allah suffices me for the best Disposer of affairs.""

[29] Sentencing To Prison Because Of Debt And Other Things

3628- It is narrated on the authority of Amr Ibn Ash-Sharid from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The procrastination of such as is able (to fulfill his debt) makes lawful both his honour and punishment." Ibn Al-Mubarak says: He means by making lawful his honour that he leads him to be put to shame; and his punishment is that he should be sentenced to prison.

شَيْءٍ، فقالَ: «**لَيْسَ لَكَ مِنْهُ إِلاَّ ذَلِكَ**».

[ت27/م27] ـ باب كيف يُحلَّف الذميّ؟

3624 ـ حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَارِس: حدَّثنا عَبْدُ الرَّزَّاقِ: أنبأنا مَعْمَرٌ، عن الزُّهْرِيِّ قال: أخبرنا رَجُلٌ من مُزَيْنَةَ وَنَحْنُ عِنْدَ سَعِيدِ بن المُسَيَّبِ، عن أَبِي هُرَيْرَةَ قال: قالَ رَسُولُ اللَّهِ ﷺ ـ يَعْنِي لِلْيَهُودِ ـ: «**أَنْشُدُكُمْ باللَّهِ الَّذِي أَنْزَلَ التَّوْرَاةَ عَلَى مُوسَى مَا تَجِدُونَ فِي التَّوْرَاةِ عَلَى مَنْ زَنا؟**» وَسَاقَ الحديثَ في قِصَّةِ الرَّجْمِ.

3625 ـ حدّثنا عَبْدُ الْعَزِيزِ بنُ يَحْيَى أَبُو الأَصْبَغِ: حَدَّثَنِي مُحَمَّدٌ ـ يَعْنِي ابنَ سَلَمَةَ ـ، عن مُحَمَّدِ بنِ إِسْحَاقَ، عن الزُّهْرِيِّ بِهَذَا الْحَدِيثِ وَبِإِسْنَادِهِ قال: حدثني رَجُلٌ مِنْ مُزَيْنَةَ مِمَّنْ كَانَ يَتَّبِعُ الْعِلْمَ وَيَعِيهِ يُحَدِّثُ سَعِيدَ بنَ الْمُسَيَّبِ، وَسَاقَ الحديثَ بِمَعْنَاهُ.

3626 ـ حدّثنا مُحَمَّدُ بنُ الْمُثَنَّى: حدَّثنا عَبْدُ الأَعْلَى: حدَّثنا سَعِيدٌ، عن قَتَادَةَ، عن عِكْرِمَةَ أَنَّ النَّبِيَّ ﷺ قالَ لَهُ ـ يَعْنِي لابْنِ صُورِيَا ـ: «**أُذَكِّرُكُم باللَّهِ الَّذِي نَجَّاكُمْ مِنْ آلِ فِرْعَوْنَ، وَأَقْطَعَكُمُ الْبَحْرَ، وَظَلَّلَ عَلَيْكُمُ الْغَمَامَ، وَأَنْزَلَ عَلَيْكُمُ الْمَنَّ وَالسَّلْوَى، وَأَنْزَلَ عَلَيْكُمُ التَّوْرَاةَ عَلَى مُوسَى، أَتَجِدُونَ فِي كِتَابِكُمُ الرَّجْمَ؟**» قَالَ: ذَكَّرْتَنِي بِعَظِيمٍ وَلاَ يَسَعُنِي أَنْ أَكْذِبَكَ. وَسَاقَ الحديثَ.

[ت28/م28] ـ باب الرجل يُحَلِّف على حقّه

3627 ـ حدّثنا عَبْدُ الْوَهَّابِ بنُ نَجْدَةَ وَمُوسَى بنُ مَرْوَانَ الرَّقِّيُّ قالاَ: حدَّثنا بَقِيَّةُ بنُ الْوَلِيدِ، عن بَحِيرِ بنِ سَعْدٍ، عن خَالِدِ بنِ مَعْدَانَ، عن سَيْفٍ، عن عَوْفِ بنِ مَالِكٍ، أَنَّهُ حَدَّثَهُمْ: أَنَّ النَّبِيَّ ﷺ قَضَى بَيْنَ رَجُلَيْنِ فَقالَ المَقْضِيُّ عَلَيْهِ لَمَّا أَدْبَرَ: حَسْبِيَ اللَّهُ وَنِعْمَ الْوَكِيلُ، فقالَ النَّبِيُّ ﷺ: «**إِنَّ اللَّهَ تَعَالَى يَلُومُ عَلَى الْعَجْزِ، وَلَكِنْ عَلَيْكَ بِالْكَيْسِ، فَإِذَا غَلَبَكَ أَمْرٌ فَقُلْ: حَسْبِيَ اللَّهُ وَنِعْمَ الْوَكِيلُ**».

[ت29/م29] ـ باب في الحبس في الدّين وغيره

3628 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ: حدَّثنا عَبْدُ اللَّهِ بنُ الْمُبَارَكِ، عن وَبْرِ بنِ أَبِي دُلَيْلَةَ، عن مُحَمَّدِ بنِ مَيْمُونٍ، عن عَمْرِو بنِ الشَّرِيدِ، عن أَبِيهِ، عن رَسُولِ اللَّهِ ﷺ قالَ: «**لَيُّ الْوَاجِدِ يُحِلُّ عِرْضَهُ وَعُقُوبَتَهُ**».

قالَ ابنُ الْمُبَارَكِ: يُحِلُّ عِرْضَهُ يُغَلَّظُ لَهُ، وَعُقُوبَتَهُ يُحْبَسُ لَهُ.

3629- It is narrated on the authority of Al-Hirmas Ibn Habib, a man from the desert dwellers, from his father from his grandfather that he said: I brought my debtor to the Messenger of Allah "Allah's blessing and peace be upon him" who told me to stick to him (until he would fulfill his debt). Later on, he came upon me and said: “What has your captive (debtor) done O brother of Banu Tamim?”

3630- It is narrated on the authority of Bahz Ibn Hakim from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" imprisoned a man because of a crime he had committed.

3631- It is narrated on the authority of Bahz Ibn Hakim from his father from his grandfather that he stood up towards the Messenger of Allah "Allah's blessing and peace be upon him" while he was delivering his sermon and said: “For which reason were my neighbours taken (and detained)?” He turned away from him twice, and then he (the Prophet) said something to him (Mu'awiyah, the grandfather of Bahz) after which the Messenger of Allah "Allah's blessing and peace be upon him" said: “Let loose his neighbours for him.”

[30] The Power Of Attorney

3632- It is narrated on the authority of Jabir Ibn Abdullah that he said: I intended to set out to Khaibar, and I came to the Messenger of Allah "Allah's blessing and peace be upon him" and said to him: “I've intended to set out to Khaibar.” The Messenger of Allah "Allah's blessing and peace be upon him" said to me: “When you arrive in Khaibar, go to my deputy there, and take from him fifteen Wasaqs (of dates), and if he asks you for a portent (that I've told you to do so), place your hand on his collar-bone.”

[31] Samples Of Judgements

3633- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “If you fall in dispute over (the width of) a street, make it seven cubits.”

3634- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “If the neighbour of anyone of you asks his permission to fix a wooden peg in his wall, let not him prevent him from doing so.” When he related it to them, they lowered their heads, thereupon he said: “Why do I see you disinclined to it? By Allah! I will make it in circulation among you!”

3629 ـ حدّثنا مُعَاذُ بنُ أَسَدٍ: حدَّثنا النَّضرُ بنُ شُمَيْلٍ: أخبرنا هِرْمَاسُ بنُ حَبِيبٍ ـ رَجُلٌ مِنْ أَهْلِ الْبَادِيَةِ ـ عن أَبِيهِ، عن جَدِّهِ قالَ: أَتَيْتُ النَّبِيَّ ﷺ بِغَرِيمٍ لِي فَقَالَ لِي: «**الْزَمْهُ**»، ثُمَّ قَالَ لِي: «**يَا أَخَا بَنِي تَمِيمٍ مَا تُرِيدُ أَنْ تَفْعَلَ بِأَسِيرِكَ**؟».

3630 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ: أخبرنا عَبْدُ الرَّزَّاقِ، عن مَعْمَرٍ، عن بَهْزِ بنِ حَكِيمٍ، عن أَبِيهِ، عن جَدِّهِ: «أَنَّ النَّبِيَّ ﷺ حَبَسَ رَجُلاً فِي تُهَمَةٍ».

3631 ـ حدّثنا مُحَمَّدُ بنُ قُدَامَةَ وَمُؤَمَّلُ بنُ هِشَامٍ، قالَ ابنُ قُدَامَةَ: حَدَّثَنِي إِسْمَاعِيلُ، عن بَهْزِ بنِ حَكِيمٍ، عن أَبِيهِ، عن جَدِّهِ، قَالَ ابنُ قُدَامَةَ: إِنَّ أَخَاهُ أَوْ عَمَّهُ، وَقَالَ مُؤَمَّلٌ: إِنَّهُ قَامَ إِلَى النَّبِيِّ ﷺ وَهُوَ يَخْطُبُ فقالَ: جِيرَانِي بِمَا أَخَذُوا، فَأَعْرَضَ عَنْهُ مَرَّتَيْنِ، ثُمَّ ذَكَرَ شَيْئًا، فقالَ النَّبِيُّ ﷺ: «**خَلُّوا لَهُ عَنْ جِيرَانِهِ**» لَمْ يَذْكُرْ مُؤَمَّلٌ: وَهُوَ يَخْطُبُ.

[ت30/م30] ـ باب في الوَكالة

3632 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ سَعْدِ بنِ إِبْرَاهِيمَ: حدَّثنا عَمِّي: حدَّثنا أَبِي، عن ابنِ إِسْحَاقَ، عن أَبِي نُعَيْمٍ وَهْبِ بنِ كَيْسَانَ، عن جَابِرِ بنِ عَبْدِ اللَّهِ أَنَّهُ سَمِعَهُ يُحَدِّثُ قالَ: أَرَدْتُ الْخُرُوجَ إِلَى خَيْبَرَ فَأَتَيْتُ النَّبِيَّ ﷺ فَسَلَّمْتُ عَلَيْهِ وَقُلْتُ لَهُ: إِنِّي أَرَدْتُ الْخُرُوجَ إِلَى خَيْبَرَ، فقالَ: «**إِذَا أَتَيْتَ وَكِيلِي فَخُذْ مِنْهُ خَمْسَةَ عَشَرَ وَسْقًا، فَإِنِ ابْتَغَى مِنْكَ آيَةً فَضَعْ يَدَكَ عَلَى تَرْقُوَتِهِ**».

[ت31/م31] ـ أبواب من القضاء

3633 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا الْمُثَنَّى بنُ سَعِيدٍ، عن قَتَادَةَ، عَنْ بُشَيْرِ بنِ كَعْبٍ الْعَدَوِيِّ، عن أَبِي هُرَيْرَةَ، عن النَّبِيِّ ﷺ قالَ: «**إِذَا تَدَارَأْتُمْ فِي طَرِيقٍ فَاجْعَلُوهُ سَبْعَةَ أَذْرُعٍ**».

3634 ـ حدّثنا مُسَدَّدٌ وَابنُ خَلَفٍ قالاَ: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، عن الأَعْرَجِ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا اسْتَأْذَنَ أَحَدُكُمْ أَخَاهُ أَنْ يَغْرِزَ خَشَبَةً فِي جِدَارِهِ فَلاَ يَمْنَعْهُ**»، فَنَكَسُوا، فَقَالَ: مَا لِي أَرَاكُمْ قَدْ أَعْرَضْتُمْ؟ لأُلْقِيَنَّهَا بَيْنَ أَكْتَافِكُمْ.

قال أَبُو دَاوُدَ: وَهَذَا حَدِيثُ ابنُ أَبِي خَلَفٍ وَهُوَ أَتَمُّ.

3635- It is narrated on the authority of Abu Sirmah, the companion of the Messenger of Allah "Allah's blessing and peace be upon him", that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “He, who causes harm to a Muslim (in his property, himself or his honour with no just cause), Allah Almighty will do harm to him; and he, who puts a Muslim to difficulty, Allah Almighty will afflict him with difficulty.”

3636- It is narrated on the authority of Samurah Ibn Jundub that he had a cluster of date-palms within the garden of a man belonging to the Ansar, who had his family with him: whenever Samurah entered to look after his date-palms, he (the Ansari man) would be disturbed, and put to difficulty. He asked him to sell his date-palms to him, but he refused. He sought to exchange them (for others in somewhere else), but he rejected. On that he went to the Messenger of Allah "Allah's blessing and peace be upon him" and made a mention of that to him. The Messenger of Allah "Allah's blessing and peace be upon him" asked him to sell his date-palms to him, but he refused. He sought to exchange them (for others in somewhere else), but he rejected. He exhorted him to do so and he would have such and such (reward), but he rejected. On that he said to him: “No doubt, you are a harm causer.” the Messenger of Allah "Allah's blessing and peace be upon him" said to the Ansari man: “Go and take off his date-palms.”

3637- It is narrated on the authority of Urwah Ibn Az-Zubair that an Ansari man quarrelled with Az-Zubair about the Harrah Canals which were used for irrigating the date-palms. The Ansari man said to Az-Zubair: "Let the water pass.” but Az-Zubair refused to do so. So, the case was brought before The Prophet “Allah’s blessing and peace be upon him” who said to Az-Zubair: "O Zubair! Irrigate (your land) and then let the water pass to your neighbour." On that the Ansari got angry and said to The Prophet “Allah’s blessing and peace be upon him”: "O Messenger of Allah! Is it for he (Zubair) is your aunt's son?" On that the colour of the face of The Messenger of Allah "Allah's blessing and peace be upon him" changed (because of anger) and he said: "O Zubair! Irrigate (your land) and then withhold the water till it reaches the walls between the pits round the trees." Zubair said: "By Allah, I think that the following verse was revealed on this occasion": " But no, by thy Lord, they can have no (real) Faith, until they make you judge in all disputes between them, and find in their souls no resistance against thy decisions, but accept them with the fullest conviction.“ (An-Nisa 65)

3635 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا اللَّيْثُ، عن يَحْيَى، عن مُحَمَّدِ بنِ يَحْيَى بنِ حَبَّانَ، عن لُؤْلُؤَةَ، عن أبي صِرْمَةَ، قالَ أبُو دَاوُدَ: قالَ غَيْرُ قُتَيْبَةَ فِي هَذَا الحدِيثِ: عن أَبِي صِرْمَةَ صَاحِبِ النَّبِيِّ ﷺ، عن النَّبِيِّ ﷺ أَنَّهُ قالَ: «**مَنْ ضَارَّ أَضرَّ اللَّه بِهِ، وَمَنْ شَاقَّ شَاقَّ اللَّه عَلَيْهِ**».

3636 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ الْعَتَكِيُّ: حدَّثنا حَمَّادٌ: حدَّثنا وَاصِلٌ مَوْلَى أَبِي عُيَيْنَةَ، قالَ: سَمِعْتُ أَبَا جَعْفَرٍ مُحَمَّدَ بنَ عَلِيٍّ يُحَدِّثُ، عن سَمُرَةَ بنِ جُنْدَبٍ أَنَّهُ كَانَتْ لَهُ عَضُدٌ مِنْ نَخْلٍ فِي حَائِطِ رَجُلٍ مِنَ الأَنْصَارِ، قالَ: وَمَعَ الرَّجُلِ أَهْلُهُ، قالَ: فَكَانَ سَمُرَةَ يَدْخُلُ إِلَى نَخْلِهِ فَيَتَأَذَّى وَيَشُقُّ عَلَيْهِ، فَطَلَبَ إِلَيْهِ أَنْ يَبِيعَهُ، فَأَبَى، فَطَلَبَ إِلَيْهِ أَنْ يُنَاقِلَهُ، فَأَبَى، فأتىٰ النَّبِيَّ ﷺ فَذَكَرَ لَهُ، فَطَلَبَ إِلَيْهِ النَّبِيُّ ﷺ أَنْ يَبِيعَهُ، فَأَبَى، فَطَلَبَ إِلَيْهِ أَنْ يُنَاقِلَهُ، فَأَبَى، قالَ: «**فَهَبْهُ لَهُ وَلَكَ كَذَا وَكَذَا**» أَمْرًا رَغَّبَهُ فِيهِ، فَأَبَى، فَقَالَ: «**أَنْتَ مُضَارٌّ**»، فَقَالَ رَسُولُ اللَّهِ ﷺ لِلأَنْصَارِيِّ: «**اذْهَبْ فَاقْلَعْ نَخْلَهُ**».

3637 ـ حدّثنا أَبُو الْوَلِيدِ الطَّيَالِسِيُّ: حدَّثنا اللَّيْثُ، عن الزُّهْرِيِّ، عن عُرْوَةَ: «أَنَّ عَبْدَ اللَّهِ بنَ الزُّبَيْرِ حَدَّثَهُ أَنَّ رَجُلاً خَاصَمَ الزُّبَيْرَ فِي شِرَاجِ الْحَرَّةِ الَّتِي يَسْقُونَ بِهَا، فَقَالَ الأَنْصَارِيُّ: سَرِّحِ الْمَاءَ يَمُرُّ، فَأَبَى عَلَيْهِ الزُّبَيْرُ، فقالَ النَّبِيُّ ﷺ لِلزُّبَيْرِ: «**اسْقِ يَا زُبَيْرُ ثُمَّ أَرسِلْ إِلَى جَارِكَ**». قالَ: فَغَضِبَ الأَنْصَارِيُّ فقالَ: يَا رَسُولَ اللَّهِ، أَنْ كَانَ ابنَ عَمَّتِكَ! فَتَلَوَّنَ وَجْهُ رَسُولِ اللَّهِ ﷺ ثُمَّ قالَ: «**اسْقِ ثُمَّ احْبِسِ الْمَاءَ حَتَّى يَرْجِعَ إِلَى الْجَدْرِ**»، فقالَ الزُّبَيْرُ: فَوَاللَّهِ إِنِّي لأَحْسَبُ هَذِهِ الآيَةَ نَزَلَتْ فِي ذَلِكَ: ﴿**فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ**﴾ [النساء: 65] الآيَةَ».

3638- It is narrated on the authority of Tha'labah Ibn Abu Malik that he heard the chiefs of the people talking about a man from the Quraish who had a share in the land of Quraizhah, and he appealed to the Messenger of Allah "Allah's blessing and peace be upon him" to judge between them in the torrent of Mahzur whose water they should distribute among themselves. On that the Messenger of Allah "Allah's blessing and peace be upon him" judged between them that the water should (be withheld until it rise) up to the level of both ankles, and after that (such as has his land in) the upper portion (from which the water passes) should not withhold the water from such as is below him.

3639- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" passed a judgement concerning the torrent of Mahzur that he (in the upper portion of the land) should withhold (the water) until it would reach both ankles, and then let the water pass to such as is below him.

3640- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: Two men appealed to the Messenger of Allah "Allah's blessing and peace be upon him" to judge between them over the protected surroundings of a date-palm, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" ordered that it (or one of its leaf stalks) should be measured, and it was found to be seven (or five) cubits, and the Messenger of Allah "Allah's blessing and peace be upon him" judged that its protected surroundings should be the same (as its length).

3638 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ: حدَّثنا أبو أُسَامَةَ، عن الْوَلِيدِ ـ يَعْنِي ابنَ كَثِيرٍ ـ، عن أَبِي مَالِكِ بنِ ثَعْلَبَةَ، عن أَبِيهِ ثَعْلَبَةَ بنِ أَبِي مَالِكٍ: «أَنَّهُ سَمِعَ كُبَرَاءَهُمْ يَذْكُرُونَ أَنَّ رَجُلاً مِنْ قُرَيْشٍ كَانَ لَهُ سَهْمٌ فِي بَنِي قُرَيْظَةَ فَخَاصَمَ إِلَى رَسُولِ اللَّهِ ﷺ فِي مَهْزُورٍ ـ يَعْنِي السَّيْلَ الَّذِي يَقْتَسِمُونَ مَاءَهُ ـ فَقَضَى بَيْنَهُمْ رَسُولُ اللَّهِ ﷺ أَنَّ الْمَاءَ إِلَى الْكَعْبَيْنِ لاَ يَحْبِسَ الأَعْلَى عَلَى الأَسْفَلِ».

3639 ـ حدّثنا أَحْمَدُ بنُ عَبْدَةَ: حدَّثنا الْمُغِيرَةُ بنُ عَبْدِ الرَّحْمَنِ قال: حَدَّثَنِي أَبِي عَبْدُ الرَّحْمَنِ بنُ الْحَارِثِ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ: «أَنَّ رَسُولَ اللَّهِ ﷺ قَضَى فِي السَّيْلِ الْمَهْزُورِ أَنْ يُمْسَكَ حَتَّى يَبْلُغَ الْكَعْبَيْنِ ثُمَّ يُرْسِلَ الأَعْلَى عَلَى الأَسْفَلِ».

3640 ـ حدّثنا مَحْمُودُ بنُ خَالِدٍ أَنَّ مُحَمَّدَ بنَ عُثْمَانَ، حَدَّثَهُمْ، قالَ: حدَّثنا عَبْدُ الْعَزِيزِ بنُ مُحَمَّدٍ، عن أَبِي طُوَالَةَ وَعَمْرِو بنِ يَحْيَى، عن أَبِيهِ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ قالَ: «اخْتَصَمَ إِلَى رَسُولِ اللَّهِ ﷺ رَجُلاَنِ فِي حَرِيمِ نَخْلَةٍ ـ فِي حَدِيثِ أَحَدِهِمَا: فَأَمَرَ بِهَا فَذُرِعَتْ فَوُجِدَتْ سَبْعَةَ أَذْرُعٍ، وفي حَدِيثِ الآخَرِ: فَوُجِدَتْ خَمْسَةَ أَذْرُعٍ ـ فَقَضَى بِذَلِكَ. قالَ عَبْدُ الْعَزِيزِ: فَأَمَرَ بِجَرِيدَةٍ مِنْ جَرِيدِهَا فَذُرِعَتْ».

(19/24) THE BOOK OF KNOWLEDGE

[1] The Exhortation To Seek Knowledge

3641- It is narrated on the authority of Kathir Ibn Qais that once, a man came from Medina to Abu Ad-Darda while he was sitting in the mosque of Damascus. He said to him: "O Abu Ad-Darda'! I've come to you from Medina, from the City of the Messenger of Allah "Allah's blessing and peace be upon him", just for a Hadith I have been informed you narrate from the Messenger of Allah "Allah's blessing and peace be upon him", and I've not come for any need (other than this Hadith)." On that he said: "No doubt, I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Whoever follows a way through which he seeks for (getting an item of) knowledge (in the world), Allah Almighty will prepare to him in return for it (in the hereafter) a way to the Garden. Verily, the angels place (or lower) their wings out of their good pleasure with the one who seeks after knowledge. Furthermore, all the inhabitants of the heavens and the earth, and even the fish in the water, ask for Allah's forgiveness for the one of knowledge. Of a surety, the superiority of the man of knowledge to the worshippers is like the superiority of the moon (in its evident shine and apparent beauty as being the nearest to the earth) to all other planets. Indeed, the men of knowledge are the (real) heirs of the Prophets; and to be sure, never did the Prophets leave a Dinar or a Dirham (i.e. a property) to be inherited, but what they left to be inherited was the knowledge: so, whoever sticks to it has, in fact, got an abundant portion (of goodness)."

3642- The same is narrated on the authority of Abu Ad-Darda' through another chain of transmission.

3643- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no man who follows a way therewith he seeks after (an item of) knowledge, but that Allah Almighty makes easy for him the way to the Garden; and he, whose (evil) deed delays him (from being admitted to the Garden) his good ancestry never makes him go ahead (towards the Garden)."

[2] Relating The Narrations Of The People Of The Scripture

3644- It is narrated on the authority of Ibn Abu Namlah Al-Ansari from his father that while he was sitting with the Messenger of Allah "Allah's blessing and peace be upon him", and a man from amongst the Jews was with him, when a funeral procession (of a dead) passed by us. The Jew asked him: "O Muhammad! Does the dead speak (in the grave with the

[19/24] ـ كتاب العلم

[ت1/م1] ـ باب الحث على طلب العلم

3641 ـ حدّثنا مُسَدَّدُ بنُ مُسَرْهَدٍ: حدَّثنا عَبْدُ اللَّهِ بنُ دَاوُدَ، قالَ: سَمِعْتُ عَاصِمَ بنَ رَجَاءِ بنِ حَيْوَةَ يُحَدِّثُ، عن دَاوُدَ بنِ جَمِيلٍ، عن كَثِيرِ بنِ قَيْسٍ قالَ: كُنْتُ جَالِسًا مَعَ أَبِي الدَّرْدَاءِ فِي مَسْجِدِ دِمَشْقَ فَجَاءَهُ رَجُلٌ فَقَالَ: يَا أَبَا الدَّرْدَاءِ إِنِّي جِئْتُكَ مِنْ مَدِينَةِ الرَّسُولِ ﷺ لِحَدِيثٍ بَلَغَنِي أَنَّكَ تُحَدِّثُهُ عَنْ رَسُولِ اللَّهِ ﷺ مَا جِئْتُ لِحَاجَةٍ.

قالَ: فَإِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنْ سَلَكَ طَرِيقًا يَطْلُبُ فِيهِ عِلْمًا سَلَكَ اللَّه بِهِ طَرِيقًا مِنْ طُرُقِ الْجَنَّةِ، وَإِنَّ الْمَلاَئِكَةَ لَتَضَعُ أَجْنِحَتَهَا رِضًا لِطَالِبِ الْعِلْمِ، وَإِنَّ الْعَالِمَ لَيَسْتَغْفِرُ لَهُ مَنْ فِي السَّمَوَاتِ وَالأَرْضِ وَالْحِيتَانُ فِي جَوْفِ الْمَاءِ، وَإِنَّ فَضْلَ الْعَالِمِ عَلَى الْعَابِدِ كَفَضْلِ الْقَمَرِ لَيْلَةَ الْبَدْرِ عَلَى سَائِرِ الْكَوَاكِبِ، وَإِنَّ الْعُلَمَاءَ وَرَثَةُ الأَنْبِيَاءِ، وَإِنَّ الأَنْبِيَاءَ لَمْ يُوَرِّثُوا دِينَارًا وَلاَ دِرْهَمًا، وَرَّثُوا الْعِلْمَ، فَمَنْ أَخَذَهُ أَخَذَ بِحَظٍّ وَافِرٍ**».

3642 ـ حدّثنا مُحَمَّدُ بنُ الْوَزِيرِ الدِّمَشْقِيُّ: حدَّثنا الْوَلِيدُ قالَ: لَقِيتُ شَبِيبَ بنَ شَيْبَةَ فَحَدَّثَنِي بِهِ، عن عُثْمَانَ بنِ أبي سَوْدَةَ، عن أَبِي الدَّرْدَاءِ بِمَعْنَاهُ يَعْنِي عَنِ النَّبِيِّ ﷺ.

3643 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا زَائِدَةُ، عن الأَعْمَشِ، عن أَبِي صَالِحٍ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَا مِنْ رَجُلٍ يَسْلُكُ طَرِيقًا يَطْلُبُ فِيهِ عِلْمًا إِلاَّ سَهَّلَ اللَّه لَهُ طَرِيقًا إِلَى الْجَنَّةِ، وَمَنْ أَبْطَأَ بِهِ عَمَلُهُ لَمْ يُسْرِعْ بِهِ نَسَبُهُ**».

[ت2/م2] ـ باب رواية حديث أهل الكتاب

3644 ـ حدّثنا أَحْمَدُ بنُ مُحَمَّدِ بنِ ثَابِتٍ الْمَرْوَزِيُّ: حدَّثنا عَبْدُ الرَّزَّاقِ: أخبرنا مَعْمَرٌ، عن الزُّهْرِيِّ، قالَ: أَخبرنا ابنُ أَبِي نَمْلَةَ الأَنْصَارِيُّ: عن أَبِيهِ: أَنَّهُ بَيْنَمَا هُوَ جَالِسٌ عِنْدَ رَسُولِ اللَّهِ ﷺ وَعِنْدَهُ رَجُلٌ مِنَ الْيَهُودِ مُرَّ بِجَنَازَةٍ، فَقَالَ: يَا مُحَمَّدُ هَلْ تَتَكَلَّمُ هَذِهِ الْجَنَازَةُ؟ فَقَالَ النَّبِيُّ ﷺ: «**اللَّه أَعْلَمُ**». قال

angels)?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah has better knowledge." The Jew said: "Surely, he speaks (in the grave)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If the people of Scripture tell you of something, do not make belief, nor give lie to their narrations, but you'd better say: "We believe in Allah and His Messengers": if that (which they tell you) is false, you will have made no belief to it; and if it is true, you will have given no lie to it."

3645- It is narrated on the authority of Zaid Ibn Thabit that he said: The Messenger of Allah "Allah's blessing and peace be upon him" ordered me to learn the (Hebrew) language of the Jews, and I did accordingly. He said to me: "By Allah! I have no trust in (anyone of) the Jews to write (from me and read the Hebrew letters) for me." I learnt the (Hebrew) language and no more than half a month elapsed before I had become well-versed in it. I then came to write (his letters) for him whenever he wrote (to the Jews), and read whatever was written (and sent by them) to him.

[3] Recording Knowledge In Written Form

3646- It is narrated on the authority of Abdullah Ibn Amr that he said: I used to write (and record) everything I heard from the Messenger of Allah "Allah's blessing and peace be upon him", with the intention to memorize it, but the Quraish people forbade me saying: "Should you write (and record) everything you hear from the Messenger of Allah "Allah's blessing and peace be upon him", and the Messenger of Allah "Allah's blessing and peace be upon him" is but a human being, who speaks while being in the state of anger as well as he speaks while being in the state of pleasure?" I desisted from writing, and I made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him", who beckoned with his finger to his mouth and said: "Write (what you hear from me), for by Him, in Whose Hand is my soul: nothing but the truth comes out of it."

3647- It is narrated on the authority of Al-Muttalib Ibn Abdullah Ibn Hantab that he said: Zaid Ibn Thabit entered upon Mu'awiyah, and asked him about a certain narration, thereupon he (Mu'awiyah) ordered a man to write it for him. On that Zaid said: "The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to write anything of his narrations." Then, he erased it.

3648- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: We never wrote anything other than the Tashahhud (testification of the prayer) and the Holy Qur'an.

الْيَهُودِيُّ: إِنَّهَا تَتَكَلَّمُ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**مَا حَدَّثَكُمْ أَهْلُ الْكِتَابِ فَلاَ تُصَدِّقُوهُمْ وَلاَ تُكَذِّبُوهُمْ وَقُولوا آمَنَّا باللَّهِ وَرُسُلِهِ، فَإِنْ كَانَ بَاطِلاً لَمْ تُصَدِّقُوهُ، وَإِنْ كَانَ حَقًّا لَمْ تُكَذِّبُوهُ**».

3645 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا ابنُ أَبِي الزِّنَادِ، عن أَبِيهِ، عن خَارِجَةَ ـ يَعْنِي ابنَ زَيْدِ بنِ ثَابِتٍ ـ قالَ: قالَ زَيْدُ بنُ ثَابِتٍ: «أَمَرَنِي رَسُولُ اللَّهِ ﷺ فَتَعَلَّمْتُ لَهُ كِتَابَ يَهُودَ، وَقَالَ: «**إِنِّي وَاللَّهِ مَا آمَنُ يَهُودَ عَلَى كِتَابِي**» فَتَعَلَّمْتُهُ فَلَمْ يَمُرَّ بِي إِلاَّ نِصْفَ شَهْرٍ حَتَّى حَذَقْتُهُ فَكُنْتُ أَكْتُبُ لَهُ إِذَا كَتَبَ، وَأَقْرَأُ لَهُ إِذَا كُتِبَ إِلَيْهِ».

[ت3/م3] ـ باب كتابة العلم

3646 ـ حدّثنا مُسَدَّدٌ وأَبُو بَكْرِ بنُ أَبِي شَيْبَةَ قالاَ: حدَّثنا يَحْيَى، عن عُبَيْدِ اللَّهِ بنِ الأَخْنَسِ، عن الْوَلِيدِ بنِ عَبْدِ اللَّهِ بنِ أَبِي مُغِيثٍ، عن يُوسُفَ بنِ مَاهَكَ، عن عَبْدِ اللَّهِ بنِ عَمْرٍو قالَ: كُنْتُ أَكْتُبُ كُلَّ شَيْءٍ أَسْمَعُهُ مِنْ رَسُولِ اللَّهِ ﷺ أُرِيدُ حِفْظَهُ، فَنَهَتْنِي قُرَيْشٌ وَقَالُوا: أَتَكْتُبُ كُلَّ شَيْءٍ تَسْمَعُهُ وَرَسُولُ اللَّهِ بَشَرٌ يَتَكَلَّمُ فِي الْغَضَبِ وَالرِّضَى! فَأَمْسَكْتُ عن الْكِتَابِ، فَذَكَرْتُ ذَلِكَ إِلَى رَسُولِ اللَّهِ ﷺ، فَأَوْمَأَ بِإِصْبَعِهِ إِلَى فِيهِ فَقَالَ: «**اكْتُبْ فَوَالَّذِي نَفْسِي بِيَدِهِ مَا يَخْرُجُ مِنْهُ إِلاَّ حَقٌّ**».

3647 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ: أَخبرنا أَبُو أَحْمَدَ: حدَّثنا كَثِيرُ بنُ زَيْدٍ، عن الْمُطَّلِبِ بنِ عَبْدِ اللَّهِ بنِ حَنْطَبٍ قالَ: «دَخَلَ زَيْدُ بنُ ثَابِتٍ عَلَى مُعَاوِيَةَ فَسَأَلَهُ عن حَدِيثٍ، فَأَمَرَ إِنْسَانًا يَكْتُبُهُ، فَقالَ زَيْدٌ: إِنَّ رَسُولَ اللَّهِ ﷺ أَمَرَنَا أَنْ لاَ نَكْتُبَ شَيْئًا مِنْ حَدِيثِهِ فَمَحَاهُ».

3648 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا ابنُ شِهَابٍ، عن الْحَذَّاءِ، عن أَبِي الْمُتَوَكِّلِ النَّاجِيِّ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ قالَ: «مَا كُنَّا نَكْتُبُ غَيْرَ التَّشَهُّدِ وَالْقُرْآنِ».

3649- It is narrated on the authority of Abu Hurairah that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" conquered Mecca, he delivered his sermon...and then a man from Yemen called Abu Shah stood up and said: "O Messenger of Allah! Have that (sermon which you said) written to me." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Write that to Abu Shah."

3650- It is narrated on the authority of Al-Walid that he said: I asked Abu Amr: "What is that which they wrote to him (Abu Shah)?" he said: "The sermon which he heard from him (the Prophet)."

[4] The Severe Punishment Of Telling Lie About The Prophet

3651- It is narrated on the authority of Amir Ibn Abdullah Ibn Az-Zubair from his father: I asked Az-Zubair: "What prevents you from relating anything from the Messenger of Allah "Allah's blessing and peace be upon him" as do the other companions?" on that he said: "No doubt, I stuck to him, and of course, I had a good position from him. But I heard a statement from him (which makes me abstain from relating anything from him) he said: "He, who intentionally tells lies against me, let him occupy his seat in the fire (of Hell)!""

[5] Talking In Allah's Book With No Knowledge

3652- It is narrated on the authority of Jundub that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who talks about Allah's Book depending only upon his own mind (with no knowledge, nor seeking the comments and sayings of the companions and their followers), and even he is right, will be considered to have committed a mistake."

[6] What About Repeating The Statement

In order that nothing of it should escape from the listener

3653- It is narrated on the authority of Abu Sallam from one who served the Messenger of Allah "Allah's blessing and peace be upon him", that whenever the Messenger of Allah "Allah's blessing and peace be upon him" said something, he would repeat (the important statements and main points in) it thrice (so that it would be understood from him more clearly).

[7] Relating The Speech Hurriedly

3654- It is narrated on the authority of Urwah that he said: Abu Hurairah sat by the side of the chamber of A'ishah while she was praying, and went on (relating narrations from the Prophet and) saying: "Listen O the lord of

3649 ـ حدّثنا مُؤَمَّلٌ قال: حدَّثنا الْوَلِيدُ. (ح)، وحدثنا الْعَبَّاسُ بنُ الْوَلِيدِ بنِ مِزْيَدٍ قال: أخبرني أَبي، عن الأَوْزَاعِيِّ، عن يَحْيَى بنِ أبي كَثِيرٍ قالَ: أخبرنا أَبُو سَلَمَةَ ـ يَعْنِي ابنَ عَبْدِ الرَّحْمَنِ ـ قالَ: حدَّثني أَبُو هُرَيْرَةَ قالَ: لَمَّا فُتِحَتْ مَكَّةُ قَامَ النَّبيُّ ﷺ فَذَكَرَ الْخُطْبَةَ، خُطْبَةَ النَّبيِّ ﷺ، قالَ: فَقَامَ رَجُلٌ مِنْ أَهْلِ الْيَمَنِ يُقَالُ لَهُ أَبُو شَاهٍ فقالَ: يَا رَسُولَ اللَّهِ اكتبوا لِي، فقالَ: «**اكْتُبُوا لأَبِي شَاهٍ**».

3650 ـ حدّثنا عَلِيُّ بنُ سَهْلٍ الرَّمْلِيُّ قالَ: أخبرنا الْوَلِيدُ قال: «قُلْتُ لأَبِي عَمْرٍو: مَا يَكْتُبُوهُ؟ قالَ: الْخُطْبَةَ الَّتِي سَمِعَهَا يَوْمَئِذٍ مِنْهُ».

[ت4/م4] ـ باب في التشديد في الكذب على رسول اللَّهِ ﷺ

3651 ـ حدّثنا عَمْرُو بنُ عَوْنٍ قَالَ: أخبرنا خَالِدٌ. (ح)، وحدَّثنا مُسَدَّدٌ: حدَّثنا خَالِدٌ، المَعْنَى، عن بَيَانِ بنِ بِشْرٍ، قالَ مُسَدَّدٌ: أَبُو بِشْرٍ، عن وَبْرَةَ بنِ عَبْدِ الرَّحْمَنِ، عن عَامِرِ بنِ عَبْدِ اللَّهِ بنِ الزُّبَيْرِ، عن أَبِيهِ قالَ: قُلْتُ لِلزُّبَيْرِ مَا يَمْنَعُكَ أَنْ تُحَدِّثَ عن رَسُولِ اللَّهِ ﷺ كَمَا يُحَدِّثُ عَنْهُ أَصْحَابُكَ؟ قالَ: أَمَا وَاللَّهِ لَقَدْ كَانَ لِي مِنْهُ وَجْهٌ وَمَنْزِلَةٌ وَلَكِنِّي سَمِعْتُهُ يَقُولُ: «**مَنْ كَذَبَ عَلَيَّ مُتَعَمِّدًا فَلْيَتَبَوَّأْ مَقْعَدَهُ مِنَ النَّارِ**».

[ت5/م5] ـ باب الكلام في كتاب اللَّهِ بغير علم

3652 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدِ بنِ يَحْيَى: حدَّثنا يَعْقُوبُ بنُ إِسْحَاقَ المُقْرِي الْحَضْرَمِيُّ: أخبرنا سُهَيْلُ بنُ مِهْرَانَ أَخُو حَزْمٍ الْقُطَعِيِّ: أخبرنا أَبُو عِمْرَانَ، عن جُنْدَبٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ قَالَ فِي كِتَابِ اللَّهِ بِرَأْيِهِ فَأَصَابَ فَقَدْ أَخْطَأَ**».

[ت6/م6] ـ باب تكرير الحديث

3653 ـ حدّثنا عَمْرُو بنُ مَرْزُوقٍ، أخبرنا شُعْبَةُ، عن أَبي عَقِيلٍ هَاشِمِ بنِ بِلاَلٍ، عن سَابِقِ بنِ نَاجِيَةَ، عن أَبِي سَلاَّمٍ، عن رَجُلٍ خَدَمَ النَّبيَّ ﷺ: «أَنَّ النَّبيَّ ﷺ كَانَ إِذَا حَدَّثَ حَدِيثًا أَعَادَهُ ثَلاَثَ مَرَّاتٍ».

[ت7/م7] ـ باب في سرد الحديث

3654 ـ حدّثنا مُحَمَّدُ بنُ مَنْصُورٍ الطُّوسِيُّ: حدَّثنا سُفْيَانُ بنُ عُيَيْنَةَ، عن الزُّهْرِيِّ، عن عُرْوَةَ قالَ: «جَلَسَ أَبُو هُرَيْرَةَ إِلَى جَنْبِ حُجْرَةِ عَائِشَةَ رضي اللَّه عنها وَهِيَ تُصَلِّي فَجَعَلَ

this chamber!" He said it twice. When she finished from her prayer she said: "Do you not wonder at that man and his (way of) relating hurriedly (traditions)? No doubt, the Messenger of Allah "Allah's blessing and peace be upon him" used to relate in such a way (as clear and explicit) that if a Reckoner intended to calculate its (words) he would do properly."

3655- It is narrated on the authority of Urwah Ibn Az-Zubair that A'ishah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", said: "Do you not wonder at Abu Hurairah? He came and sat by the side of my chamber, and went on relating narrations from the Messenger of Allah "Allah's blessing and peace be upon him", in order that he would make me listen to him, and I was offering the supererogatory prayer; and he went away before I finished from my supererogatory prayer: had I caught up with him, surely, I would have repeated (his speech in order to retain it from) him. Indeed, the Messenger of Allah "Allah's blessing and peace be upon him" used not to relate hurriedly in the same way as you do."

[8] One Should Be Careful When He Gives A Religious Verdict

3656- It is narrated on the authority of Mu'awiyah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (to face the religious scholars with) the controversial argumentative religious questions (with the intention to make them falter in their opinion).

3657- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who is given a religious verdict with no knowledge, the sin he commits would be laid upon the one who gives him such a verdict; and he, who suggests to his (Muslim) brother to do something, and he knows for certain that the right way is different from that, has, indeed, betrayed him."

[9] It Is Undesirable To Withhold Knowledge

3658- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who is asked about (an item of) knowledge which he conceals, Allah will rein him with a rein of fire on the Day of Judgement."

[10] The Excellence Of Spreading Knowledge

3659- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "You (should) listen from me, and (let what you hear from me) be listened from you (by the absent among you), and (let) such as listen from you have (what they listen to) be listened to from them."

يَقُولُ: اسْمَعِي يَا رَبَّةَ الْحُجْرَةِ مَرَّتَيْنِ، فَلَمَّا قَضَتْ صَلاَتَهَا قَالَتْ: أَلاَ تَعْجَبُ إِلَى هَذَا وَحَدِيثِهِ؟ إِنْ كَانَ رَسُولُ اللَّهِ ﷺ لَيُحَدِّثُ الحديثَ لَوْ شَاءَ الْعَادُّ أَنْ يُحْصِيَهُ أَحْصَاهُ».

3655 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ المَهْرِيُّ: أخبرنا ابنُ وَهْبٍ قال: أخبرني يُونُسُ، عن ابنِ شِهَابٍ أَنَّ عُرْوَةَ بنَ الزُّبَيْرِ حَدَّثَهُ أَنَّ عَائِشَةَ زَوْجَ النَّبِيِّ ﷺ قالَتْ: «أَلاَ يُعْجِبُكَ أَبُو هُرَيْرَةَ جَاءَ فَجَلَسَ إِلَى جَانِبِ حُجْرَتِي يُحَدِّثُ عَنْ رَسُولِ اللَّهِ ﷺ يُسْمِعُنِي ذَلِكَ وَكُنْتُ أُسَبِّحُ، فَقَامَ قَبْلَ أَنْ أَقْضِيَ سُبْحَتِي، وَلَوْ أَدْرَكْتُهُ لَرَدَدْتُ عَلَيْهِ، إِنَّ رَسُولَ اللَّهِ ﷺ لَمْ يَكُنْ يَسْرُدُ الحديثَ سَرْدَكُمْ».

[ت8/م8] ـ باب التوقي في الفتيا

3656 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ: حدَّثنا عِيسَى، عَنْ الأَوْزَاعِيِّ، عن عَبْدِ اللَّهِ بنِ سَعْدٍ، عن الصُّنَابِحِيِّ، عن مُعَاوِيَةَ: «أَنَّ النَّبِيَّ ﷺ نَهَى عن الْغَلُوطَاتِ».

3657 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا أَبُو عَبْدِ الرَّحْمَنِ المُقْرِي: حدَّثنا سَعِيدٌ يَعْنِي ـ ابنَ أَبِي أَيُّوبَ ـ، عن بَكْرِ بنِ عَمْرٍو، عن مُسْلِمِ بنِ يَسَارٍ أَبِي عُثْمَانَ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ أَفْتَى**». (ح)، وحدثنا سُلَيْمَانُ بنُ دَاوُدَ، أخبرنا ابنُ وَهْبٍ: حدَّثني يَحْيَى بنُ أَيُّوبَ، عن بَكْرِ بنِ عَمْرٍو، عن عَمْرِو بنِ أَبِي نُعَيْمَةَ، عن أَبِي عُثْمَانَ الطُّنْبُذِيِّ رَضِيعِ عَبْدِ المَلِكِ بنِ مَرْوَانَ قالَ: سَمِعْتُ أَبَا هُرَيْرَةَ يَقُولُ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ أُفْتِيَ بِغَيْرِ عِلْمٍ كَانَ إِثْمُهُ عَلَى مَنْ أَفْتَاهُ**» زَادَ سُلَيْمَانُ المَهْرِيُّ فِي حَدِيثِهِ: «**وَمَنْ أَشَارَ عَلَى أَخِيهِ بِأَمْرٍ يَعْلَمُ أَنَّ الرُّشْدَ فِي غَيْرِهِ فَقَدْ خَانَهُ**» وَهَذَا لَفْظُ سُلَيْمَانَ.

[ت9/م9] ـ باب كَراهية منع العلم

3658 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ: أخبرنا عَلِيُّ بنُ الْحَكَمِ، عن عَطَاءٍ، عن أَبِي هُرَيْرَةَ قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ سُئِلَ عن عِلْمٍ فَكَتَمَهُ أَلْجَمَهُ اللَّهُ بِلِجَامٍ مِنْ نَارٍ يَوْمَ الْقِيَامَةِ**».

[ت10/م10] ـ باب فضل نشر العلم

3659 ـ حدّثنا زُهَيْرُ بنُ حَرْبٍ وَعُثْمَانُ بنُ أَبِي شَيْبَةَ قَالاَ: حدَّثنا جَرِيرٌ، عن الأَعْمَشِ، عن عَبْدِ اللَّهِ بنِ عَبْدِ اللَّهِ بنِ سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**تَسْمَعُونَ وَيُسْمَعُ مِنْكُمْ وَيُسْمَعُ مِمَّنْ يَسْمَعُ مِنْكُمْ**».

3660- It is narrated on the authority of Zaid Ibn Thabit: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah makes bright (the face of) such as listens to my statement and conveys it (to those who are absent), for indeed, one might be a carrier of religious knowledge, even though he fails to comprehend it; and a carrier of religious knowledge might convey that to him, who has better comprehension (of religious knowledge) than him."

3661- It is narrated on the authority of Sahl Ibn Sa'd said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "By Allah, that Allah guides with the help of your right guidance even a single one is much better for you than the red camels."

[11] What About Relating From The Children Of Israel?

3662- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no harm (on you) to relate (narrations) from the children of Israel."

3663- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" happened to relate to us (narrations) from the children of Israel (and go on) until morning would come upon him, and nothing would cause him to stand (and leave the narration) except for the obligatory prayer.

[12] What About Learning Knowledge Even Though Not For The Sake Of Allah Almighty?

3664- It is narrated on the authority of Abu Hurairah: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who learns a (portion of) knowledge, with the help of which Allah's Countenance should be sought for, but he learns it only to get a (material) gain in this present life, will not detect the smell of the Garden on the Day of Judgement (since it will be forbidden to him)."

[13] What About The Narrations

3665- It is narrated on the authority of Awf Ibn Malik Al-Ashja'i that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "None relates narrations but a ruler (by way of giving admonition), such as given permission (by a ruler to do so), or such as swollen with pride (by way of showing off)."

3666- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: I sat with some weak poor from amongst the Muhajirs, (and they were very poor that) some of them were screening themselves by (the clothes of) each

3660 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن شُعْبَةَ: حدَّثني عُمَرُ بنُ سُلَيْمَانَ مِنْ وَلَدِ عُمَرَ بنِ الْخَطَّابِ، عن عَبْدِ الرَّحْمَنِ بنِ أَبَانَ، عن أَبِيهِ، عن زَيْدِ بنِ ثَابِتٍ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**نَضَّرَ اللَّه امْرءاً سَمِعَ مِنَّا حَدِيثًا فَحَفِظَهُ حَتَّى يُبَلِّغَهُ، فَرُبَّ حَامِلِ فِقْهٍ إِلَى مَنْ هُوَ أَفْقَهُ مِنْهُ، وَرُبَّ حَامِلِ فِقْهٍ لَيْس بِفَقِيهٍ**».

3661 ـ حدّثنا سَعِيدُ بنُ مَنْصُورٍ: حدَّثنا عَبْدُ الْعَزِيزِ بنُ أبي حَازِمٍ، عن أَبِيهِ، عن سَهْلٍ ـ يَعْنِي ابنَ سَعْدٍ ـ، عن النَّبِيِّ ﷺ قالَ: «**وَاللَّهِ لأَنْ يَهْدِيَ اللَّهُ بِهُدَاكَ رَجُلاً وَاحِدًا خَيْرٌ لَكَ مِنْ حُمْرِ النَّعَمِ**».

[ت11/م11] ـ باب الحديث عن بنِي إسرائيل

3662 ـ حدّثنا أَبُو بَكْرِ بنُ أبي شَيْبَةَ: حَدَّثَنِي عَلِيُّ بنُ مُسْهِرٍ، عن مُحَمَّدِ بنِ عَمْرٍو، عن أبي سَلَمَةَ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**حَدِّثُوا عَنْ بَنِي إِسْرَائِيلَ وَلاَ حَرَجَ**».

3663 ـ حدّثنا مُحَمَّدُ بنُ الْمُثَنَّى: حدَّثنا مُعَاذٌ: حدَّثنا أَبِي، عن قَتَادَةَ، عن أَبِي حَسَّانَ، عن عَبْدِ اللَّهِ بنِ عَمْرٍو قالَ: «كَانَ نَبِيُّ اللَّهِ ﷺ يُحَدِّثُنَا عن بَنِي إِسْرَائِيلَ حَتَّى يُصْبِحَ مَا يَقُومُ إِلاَّ إِلَى عُظْمِ صَلاَةٍ».

[ت12/م12] ـ باب في طلب العلم لغير اللَّهِ

3664 ـ حدّثنا أَبُو بَكْرِ بنُ أَبِي شَيْبَةَ: حدَّثنا سُرَيْجُ بنُ النُّعْمَانِ: حدَّثنا فُلَيْحٌ، عن أَبِي طُوَالَةَ عَبْدِ اللَّهِ بنِ عَبْدِ الرَّحْمَنِ بنِ مَعْمَرٍ الأنصاريِّ، عن سَعِيدِ بنِ يَسَارٍ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ تَعَلَّمَ عِلْمًا مِمَّا يُبْتَغَى بِهِ وَجْهُ اللَّهِ عز وجل لاَ يَتَعَلَّمُهُ إِلاَّ لِيُصِيبَ بِهِ عَرَضًا مِنَ الدُّنْيَا لَمْ يَجِدْ عَرْفَ الْجَنَّةِ يَوْمَ الْقِيَامَةِ**» يَعْنِي رِيحَهَا.

[ت13/م13] ـ باب في القَصَص

3665 ـ حدّثنا مَحْمُودُ بنُ خَالِدٍ: أخبرنا أَبُو مُسْهِرٍ: أَخبرنا عَبَّادُ بنُ عَبَّادٍ الْخَوَّاصُ، عن يَحْيَى بنِ أَبِي عَمْرٍو السَّيْبَانِيِّ، عن عَوْفِ بنِ مَالِكٍ الأَشْجَعِيِّ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**لاَ يَقُصُّ إِلاَّ أَمِيرٌ أَوْ مَأْمُورٌ أَوْ مُخْتَالٌ**».

3666 ـ حدّثنا مُسَدَّدٌ: حدَّثنا جَعْفَرُ بنُ سُلَيْمَانَ، عن الْمُعَلَّى بنِ زِيَادٍ، عن الْعَلاَءِ بنِ بَشِيرٍ الْمُزَنِيِّ، عن أَبِي الصِّدِّيقِ النَّاجِيِّ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ قالَ: جَلَسْتُ فِي عِصَابَةٍ مِنْ ضُعَفَاءِ الْمُهَاجِرِينَ وَإِنَّ بَعْضَهُمْ لَيَسْتَتِرُ بِبَعْضٍ مِنَ الْعُرْيِ،

other because of their lack of (clothes that should cover) the whole of their bodies. There was somebody reciting the Qur'an to us. Such being the case, the Messenger of Allah "Allah's blessing and peace be upon him" came to us, and stood near us and when he kept standing near us the reciter stopped (from reciting), and the Messenger of Allah "Allah's blessing and peace be upon him" saluted us with peace, and asked us: "What are you hearing?" we said: "O Messenger of Allah, a reciter was reciting (the Qur'an) and we were listening to (him while reciting) Allah's Book." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Praise be to Allah Who has made of my nation such as to whom I have been commanded to adhere." The Messenger of Allah "Allah's blessing and peace be upon him" sat among us, in order to make himself equal to us. He pointed with his hand as such, and they came to sit in a circle, and their faces appeared to him. I observed that the Messenger of Allah "Allah's blessing and peace be upon him" recognized none of them barring me. Then, the Messenger of Allah "Allah's blessing and peace be upon him" said: "O assembly of the poor Muhajirs! Receive the glad tidings of having the perfect light on the Day of Judgement. You will enter the Garden half a day, i.e. five hundred years before the rich and wealthy among the people."

3667- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "To sit with a people who are celebrating (the Praises of) Allah Almighty from the Morning prayer up to the rising of the sun is much dearer to me than to emancipate four slaves from the offspring of Ishmael; and to sit with a people who are celebrating (the Praises of) Allah Almighty from the Asr prayer up to the setting of the sun is much dearer to me than to emancipate four slaves."

3668- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "Recite to me the Surah of Women." I said: "Should I recite it to you even though it has been revealed to you?" he said: "I like to listen to it from someone else other than me." I went on reciting, and when I came to Allah's Saying: "How then if We brought from each People a witness, and We brought you as a witness against these People" (Women 41) I rose up my head, and behold! The eyes of the Messenger of Allah "Allah's blessing and peace be upon him" were overflowing with tears.

وَقَارِئٌ يَقْرَأُ عَلَيْنَا ؛ إِذْ جَاءَ رَسُولُ اللَّهِ ﷺ فَقَامَ عَلَيْنَا، فَلَمَّا قَامَ رَسُولُ اللَّهِ ﷺ سَكَتَ الْقَارِئُ فَسَلَّمَ ثُمَّ قال: «**مَا كُنْتُمْ تَصْنَعُونَ؟**» قُلْنَا: يَا رَسُولَ اللَّهِ إِنَّهُ كَانَ قَارِئٌ لَنَا يَقْرَأُ عَلَيْنَا فَكُنَّا نَسْتَمِعُ إِلَى كِتَابِ اللَّهِ تَعَالَى.

قالَ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**الْحَمْدُ للَّهِ الَّذِي جَعَلَ مِنْ أُمَّتِي مَنْ أُمِرْتُ أَنْ أَصْبِرَ نَفْسِيَ مَعَهُمْ**». قالَ: فَجَلَسَ رَسُولُ اللَّهِ ﷺ وَسْطَنَا لِيَعْدِلَ بِنَفْسِهِ فِينَا، ثُمَّ قَالَ بِيَدِهِ هَكَذَا، فَتَحَلَّقُوا وَبَرَزَتْ وُجُوهُهُمْ لَهُ. قال: فَمَا رَأَيْتُ رَسُولَ اللَّهِ ﷺ عَرَفَ مِنْهُمْ أَحَدًا غَيْرِي، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**أَبْشِرُوا يَا مَعْشَرَ صَعَالِيكِ الْمُهَاجِرِينَ بِالنُّورِ التَّامِّ يَوْمَ الْقِيَامَةِ تَدْخُلُونَ الْجَنَّةَ قَبْلَ أَغْنِيَاءِ النَّاسِ بِنِصْفِ يَوْمٍ، وَذَاكَ خَمْسُمائَةِ سَنَةٍ**».

3667 ـ حدّثنا مُحَمَّدُ بنُ الْمُثَنَّى: حَدَّثَنِي عَبْدُ السَّلَامِ ـ يَعْنِي ابنَ مُطَهَّرٍ أَبُو ظَفْرٍ ـ: أخبرنا مُوسَى بنُ خَلَفٍ الْعَمِّيُّ، عن قَتَادَةَ، عن أَنَسِ بنِ مَالِكٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**لأَنْ أَقْعُدَ مَعَ قَوْمٍ يَذْكُرُونَ اللَّه تَعَالَى مِنْ صَلاَةِ الْغَدَاةِ حَتَّى تَطْلُعَ الشَّمْسُ أَحَبُّ إِلَيَّ مِنْ أَنْ أُعْتِقَ أَرْبَعَةً مِنْ وَلَدِ إِسْمَاعِيلَ، وَلأَنْ أَقْعُدَ مَعَ قَوْمٍ يَذْكُرُونَ اللَّه مِنْ صَلاَةِ الْعَصْرِ إِلَى أَنْ تَغْرُبَ الشَّمْسُ أَحَبُّ إِلَيَّ مِنْ أَنْ أُعْتِقَ أَرْبَعَةً**».

3668 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا حَفْصُ بنُ غِيَاثٍ، عن الأَعْمَشِ، عن إِبْرَاهِيمَ، عن عُبَيْدَةَ، عن عَبْدِ اللَّهِ قالَ: قالَ لِي رَسُولُ اللَّهِ ﷺ: «**اقْرَأْ عَلَيَّ سُورَةَ النِّسَاءِ**». قَالَ: قُلْتُ: أَقْرَأُ عَلَيْكَ وَعَلَيْكَ أُنْزِلَ؟ قالَ: «**إِنِّي أُحِبُّ أَنْ أَسْمَعَهُ مِنْ غَيْرِي**». قالَ: فَقَرَأْتُ عَلَيْهِ حَتَّى إِذَا انْتَهَيْتُ إِلَى قَوْلِهِ: ﴿**فَكَيْفَ إِذَا جِئْنَا مِن كُلِّ أُمَّةٍ بِشَهِيدٍ**﴾ [النساء: 41] الآيَةَ، فَرَفَعْتُ رَأْسِي فَإِذَا عَيْنَاهُ تَهْمِلاَنِ.

(20/25) THE BOOK OF DRINKS

[1] The Prohibition Of Wine (Alcoholic Drinks)

3669- It is narrated on the authority of Umar that he said: "O people! When the prohibition of wine was revealed, it was, at this time, made from five things: grapes, dates, honey, wheat and parley. No doubt, the wine is that which befogs the mind. There are three things, and I hoped the Messenger of Allah "Allah's blessing and peace be upon him" did not leave us before he had made a decisive judgement thereof for us to conclude: (the inheritance of) the grandfather, such as dies and leaves neither descendants nor ascendants, and some kinds of usury."

3670- It is narrated on the authority of Umar that (a short time before) wine was forbidden, Umar said: "O Allah! Would that You give us a clear decisive statement concerning the (prohibition of) wine!" so, this Verse in the Surah of Al-Baqarah was revealed: "They ask you concerning wine and gambling. Say in them is great sin..." then, Umar was called and the Verse was recited to him, but he said: "O Allah! Would that You give us a clear decisive statement concerning the (prohibition of) wine!" then, the Verse pertaining to that in the Surah of Women was revealed: "O you who believe! Approach not Prayers with a mind befogged, until you can understand all that you say..." (43) whenever the caller of the Messenger of Allah "Allah's blessing and peace be upon him" to prayer pronounced the prayer establishment, he would say: "Behold! Let none who is intoxicated approach the prayer!" then, Umar was called and the Verse was recited to him, but he said: "O Allah! Would that You give us a clear decisive statement concerning the (prohibition of) wine!" then, the Verse pertaining to that in the Surah of Repast was revealed, and Umar was called and the Verse was recited to him, and when he came to His saying: "will you not then abstain?" Umar said: "No doubt, we've abstained!"

3671- It is narrated on the authority of Ali Ibn Abu Talib that a man from amongst the Ansar invited him and Abd Ar-Rahman Ibn Awf and he served them with wine before it was prohibited; and Ali led them in the Maghrib prayer, in which he recited: "Say: O you who reject faith!" but he was put to confusion while reciting it. On that occasion the following statement was revealed: "O you who believe! Approach not Prayers with a mind befogged, until you can understand all that you say..." (Women 43)

3672- It is narrated on the authority of Ibn Abbas that he said: As to Allah's saying: "O you who believe! Approach not Prayers with a mind befogged, until you can understand all that you say..." (Women 43) and:

[20/25] ـ كتاب الأَشربة

[ت1/م1] ـ باب تحريم الخمر

3669 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا إِسْمَاعِيلُ بنُ إِبْرَاهِيمَ: حدَّثنا أَبو حَيَّانَ قالَ: حَدَّثَنِي الشَّعْبِيُّ، عن ابنِ عُمَرَ، عن عُمَرَ قالَ: «نَزَلَ تَحْرِيمُ الْخَمْرِ يَوْمَ نَزَلَ وَهِيَ مِنْ خَمْسَةِ أَشْيَاءَ: مِنَ الْعِنَبِ وَالتَّمْرِ وَالْعَسَلِ وَالْحِنْطَةِ وَالشَّعِيرِ، وَالْخَمْرُ مَا خَامَرَ الْعَقْلَ، وَثَلاَثٌ وَدِدْتُ أَنَّ النَّبِيَّ ﷺ لَمْ يُفَارِقْنَا حَتَّى يَعْهَدَ فِيهِنَّ عَهْدًا أَنْتَهِي إِلَيْهِ: الْجَدُّ، وَالْكَلاَلَةُ، وأَبْوَابٌ مِنْ أَبْوَابِ الرِّبَا».

3670 ـ حدّثنا عَبَّادُ بنُ مُوسَى الْخُتَّلِيُّ، قالَ: أخبرنا إِسْمَاعِيلُ ـ يَعْنِي ابنَ جَعْفَرٍ ـ، عن إِسْرَائِيلَ، عن أَبِي إِسْحَاقَ، عن عَمْرٍو، عن عُمَرَ بنِ الْخَطَّابِ قالَ: «لَمَّا نَزَلَ تَحْرِيمُ الْخَمْرِ قالَ عُمَرُ: اللَّهمَّ بَيِّنْ لَنَا فِي الْخَمْرِ بَيَانًا شِفَاءً، فَنَزَلَتِ الآيَةُ الَّتِي فِي الْبَقَرَةِ: ﴿يَسْـَٔلُونَكَ عَنِ ٱلْخَمْرِ وَٱلْمَيْسِرِ قُلْ فِيهِمَآ إِثْمٌ كَبِيرٌ﴾ [البقرة: 219] الآيَةَ، فَدُعِيَ عُمَرُ فَقُرِئَتْ عَلَيْهِ، قالَ: اللَّهمَّ بَيِّنْ لَنَا فِي الْخَمْرِ بَيَانًا شِفَاءً، فَنَزَلَتِ الآيَةُ الَّتِي فِي النِّسَاءِ: ﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُواْ لَا تَقْرَبُواْ ٱلصَّلَوٰةَ وَأَنتُمْ سُكَٰرَىٰ﴾ [النساء: 43] فَكَانَ مُنَادِي رَسُولِ اللَّهِ ﷺ إِذَا أُقِيمَتِ الصَّلاَةُ يُنَادِي: أَلاَ لاَ يَقْرَبَنَّ الصَّلاَةَ سَكْرَانٌ. فَدُعِيَ عُمَرُ فَقُرِئَتْ عَلَيْهِ، فَقَالَ: اللَّهمَّ بَيِّنْ لَنَا فِي الْخَمْرِ بَيَانًا شِفَاءً، فَنَزَلَتْ هَذِهِ الآيَةُ: ﴿فَهَلْ أَنتُم مُّنتَهُونَ ﴿٩١﴾﴾ [المائدة: 91] قالَ عُمَرُ: انْتَهَيْنَا».

3671 ـ حدّثنا مُسَدَّدٌ، قال: حدَّثنا يَحْيَى، عن سُفْيَانَ، قال: حدَّثنا عَطَاءُ بنُ السَّائِبِ، عن أَبِي عَبْدِ الرَّحْمَنِ السُّلَمِيِّ، عن عَلِيِّ بنِ أَبِي طَالِبٍ عَلَيْهِ السلام: أَنَّ رَجُلاً مِنَ الأَنْصَارِ دَعَاهُ وَعَبْدَ الرَّحْمَنِ بنَ عَوْفٍ فَسَقَاهُمَا قَبْلَ أَنْ تُحَرَّمَ الْخَمْرُ، فَأَمَّهُمْ عَلِيٌّ فِي الْمَغْرِبِ وَقَرَأَ: ﴿قُلْ يَٰٓأَيُّهَا ٱلْكَٰفِرُونَ ﴿١﴾﴾ [الكافرون: 1] فَخَلَطَ فِيهَا، فَنَزَلَتْ: ﴿لَا تَقْرَبُواْ ٱلصَّلَوٰةَ وَأَنتُمْ سُكَٰرَىٰ حَتَّىٰ تَعْلَمُواْ مَا تَقُولُونَ﴾ [النساء: 43].

3672 ـ حدّثنا أَحْمَدُ بنُ مُحَمَّدٍ الْمَرْوَزِيُّ، قالَ: أخبرنا عَلِيُّ بنُ حُسَيْنٍ، عن أَبِيهِ، عن يَزِيدَ النَّحْوِيِّ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ قالَ: ﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُواْ لَا تَقْرَبُواْ ٱلصَّلَوٰةَ وَأَنتُمْ سُكَٰرَىٰ﴾ [النساء: 43] ﴿يَسْـَٔلُونَكَ عَنِ ٱلْخَمْرِ وَٱلْمَيْسِرِ قُلْ

"They ask you concerning wine and gambling. Say in them is great sin, and some profit for men; but the sin is greater than the profit ..." (Al-Baqarah 219): they were abrogated by His saying: "O you who believe! intoxicants and gambling, (dedication of) stones, and (divination by) arrows, are an abomination of Satan's handiwork: eschew such (abomination), that you may prosper." (Al-Ma'idah 90)

3673- It is narrated on the authority of Anas: I was the butler of the people in the house of Abu Talhah on the day the wine was prohibited, and our drink was nothing other than Fadikh, i.e. prepared from dates, when somebody entered upon us and said: "The wine has been prohibited." Then, the announcer of the Messenger of Allah "Allah's blessing and peace be upon him" made a public announcement (that the wine had been prohibited). We (recognized the voice and) said: "This is the announcer of the Messenger of Allah "Allah's blessing and peace be upon him"."

[2] What About Pressing The Grapes To Produce Wine?

3674- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" cursed wine, its drinker, its provider, its seller, its purchaser, its presser, such as gets it pressed for him, its carrier, and such as for whom it is carried.

[3] What About Turning Wine Into Vinegar?

3675- It is narrated on the authority of Anas that Abu Talhah asked the Messenger of Allah "Allah's blessing and peace be upon him" about some orphans who inherited wine (as a part of their property), and he said to him: "Spill it." He asked: "Should I not turn it into vinegar?" he answered in the negative.

[4] From Which Is Wine Produced?

3676- It is narrated on the authority of An-Nu'man Ibn Bashir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The wine might be produced from grapes; the wine might be produced from dates; the wine might be produced from honey; the wine might be produced from wheat; and the wine might be produced from parley."

3677- It is narrated on the authority of An-Nu'man Ibn Bashir that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The wine might be produced from (grapes, whether) pressed or raisins, from dates, from wheat, from parley, and from millet; and I forbid you to get all the intoxicants."

فِيهِمَآ إِثۡمٞ كَبِيرٞ وَمَنَٰفِعُ لِلنَّاسِ وَإِثۡمُهُمَآ أَكۡبَرُ مِن نَّفۡعِهِمَاۗ﴾ [البقرة: 219] نَسَخَتْهُمَا الَّتِي فِي الْمَائِدَةِ: ﴿إِنَّمَا ٱلۡخَمۡرُ وَٱلۡمَيۡسِرُ وَٱلۡأَنصَابُ﴾ [المائدة: 90] الآيَةَ.

3673 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ: أخبرنا حَمَّادُ بنُ زَيْدٍ، عن ثَابِتٍ، عن أَنَسٍ قالَ: «كُنْتُ سَاقِيَ الْقَوْمِ حَيْثُ حُرِّمَتِ الْخَمْرُ في مَنْزِلِ أَبِي طَلْحَةَ وَمَا شَرَابُنَا يَوْمَئِذٍ إلاَّ الْفَضِيخُ، فَدَخَلَ عَلَيْنَا رَجُلٌ فَقَالَ: إِنَّ الْخَمْرَ قَدْ حُرِّمَتْ، وَنَادَى مُنَادِي رَسُولِ اللَّهِ ﷺ فَقُلْنَا: هَذَا مُنَادِي رَسُولِ اللَّهِ ﷺ».

[ت2/م2] ـ باب في العنب يُعْصَر للخمر

3674 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، قالَ: حدَّثنا وَكِيعُ بنُ الْجَرَّاحِ، عن عَبْدِ الْعَزِيزِ بنِ عُمَرَ، عن أَبِي عَلْقَمَةَ مَوْلاَهُمْ وَعَبْدِ الرَّحْمَنِ بنِ عَبْدِ اللَّهِ الْغَافِقِيِّ أَنَّهُمَا سَمِعَا ابنَ عُمَرَ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لَعَنَ اللَّه الْخَمْرَ وَشَارِبَهَا وَسَاقِيَهَا وَبَائِعَهَا وَمُبْتَاعَهَا وَعَاصِرَهَا وَمُعْتَصِرَهَا وَحَامِلَهَا وَالمَحْمُولَةَ إِلَيْهِ**».

سُئِلَ أَبُو دَاوُدَ عن اسمِ أبي الأَحْوَصِ الذي روى عن عبدِ اللَّهِ فقال: عوفُ بنُ مالكٍ، أو مالكُ بنُ عوفٍ.

[ت3/م3] ـ باب ما جاء في الخمر تخلل

3675 ـ حدّثنا زُهَيْرُ بنُ حَرْبٍ، قالَ: حدَّثنا وَكِيعٌ، عن سُفْيَانَ، عن السُّدِّيِّ، عن أَبِي هُبَيْرَةَ، عن أَنَسِ بنِ مَالِكٍ: أَنَّ طَلْحَةَ سَأَلَ رَسُولَ اللَّهِ ﷺ عن أَيْتَامٍ وَرِثُوا خَمْرًا، قال: «**أَهْرِقْهَا**»، قال: أَفَلاَ أَجْعَلُهَا خَلاًّ؟ قال: «**لاَ**».

[ت4/م4] ـ باب الخمر مما هي

3676 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ، قال: حدَّثنا يَحْيَى بنُ آدَمَ، قال: حدَّثنا إِسْرَائِيلُ، عن إِبْرَاهِيمَ بنِ مُهَاجِرٍ، عن الشَّعْبِيِّ، عن النُّعْمَانِ بنِ بَشِيرٍ قال: قال رَسُولُ اللَّهِ ﷺ: «**إِنَّ مِنَ الْعِنَبِ خَمْرًا، وَإِنَّ مِنَ التَّمْرِ خَمْرًا، وَإِنَّ مِنَ الْعَسَلِ خَمْرًا، وَإِنَّ مِنَ الْبُرِّ خَمْرًا، وَإِنَّ مِنَ الشَّعِيرِ خَمْرًا**».

3677 ـ حدَّثنا مَالِكُ بنُ عَبْدِ الْوَاحِدِ أَبُو غَسَّانَ، قال: حدَّثنا مُعْتَمِرٌ قال قَرَأْتُ عَلَى الْفُضَيْلِ بنِ مَيْسَرَةَ، عن أَبِي حَرِيزٍ أَنَّ عَامِرًا حَدَّثَهُ أَنَّ النُّعْمَانَ بنَ بِشِيرٍ قال: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِنَّ الْخَمْرَ مِنَ الْعَصِيرِ، وَالزَّبِيبِ، وَالتَّمْرِ، وَالْحِنْطَةِ، وَالشَّعِيرِ، وَالذُّرَةِ، وَإِنِّي أَنْهَاكُمْ عن كُلِّ مُسْكِرٍ**».

3678- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The wine is produced from (the fruits of) those trees, i.e. both date-palm and vine."

[5] Every Intoxicant Is Forbidden

3679- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Every intoxicant (that befogs the mind) is wine, and every intoxicant is unlawful (to drink); and he, who dies and he is addict to drinking wine (in the world while it is unlawful), will never drink it in the hereafter (even though it will be lawful)."

3680- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Every intoxicant (that befogs the mind) is wine, and every intoxicant is unlawful; and he, who drinks an intoxicant, he will be deprived of (the reward of) his prayer for forty days, and if he repents, Allah turns to him in repentance; and if he returns to (drinking it) for the fourth time, Allah then has the right to make his drink from Tinat Al-Khabal." They asked: "What is "Tinat Al-Khabal" O Messenger of Allah?" he said: "It is the pus sweat of the denizens of the fire (of Hell); and he, who gives it to a young, who does not know whether it is lawful or unlawful, Allah then has the right to make his drink from Tinat Al-Khabal."

3681- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The little amount of such of drinks as of which a great quantity intoxicates is unlawful (no matter ineffective it might be)."

3682- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" was asked about Bit' (a kind of wine prepared from honey famous in Yemen), thereupon he said: "Every intoxicating drink is unlawful."

Abu Dawud says: The same is narrated on the authority of Az-Zuhri, through the same chain of transmission, with the following addition: Bit' was the honey-based wine, which the inhabitants of Yemen used to drink.

3683- It is narrated on the authority of Dailam Al-Himyari that he said: I said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! We live in a very cold land, and do very hard work (which needs a great energy and power), and we take a drink from wheat, therewith to become strong enough to do our labour and endure the cold of

3678 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ قال: حدَّثنا أَبَانُ قال: حَدَّثَنِي يَحْيَى، عن أَبِي كَثِيرٍ، عن أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قال: «**الْخَمْرُ مِنْ هَاتَيْنِ الشَّجَرَتَيْنِ: النَّخْلَةِ وَالْعِنَبَةِ**».

قال أَبُو دَاوُدَ: اسْمُ أَبِي كَثِيرٍ الْغُبَرِيِّ يَزِيدُ بنُ عَبْدِ الرَّحْمَنِ بنِ غُفَيْلَةَ السَّحْمِيُّ. وقالَ بَعْضُهُمْ: أُذَيْنَةُ، وَالصَّوَابُ غُفَيْلَةُ.

[ت5/م5] ـ باب النهي عن المسكر

3679 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ وَمُحَمَّدُ بنُ عِيسَى فِي آخَرِينَ قَالُوا: حدَّثنا حَمَّادٌ ـ يَعْنِي ابنَ زَيْدٍ ـ، عن أَيُّوبَ، عن نافِعٍ، عن ابنِ عُمَرَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**كُلُّ مُسْكِرٍ خَمْرٌ، وَكُلُّ مُسْكِرٍ حَرَامٌ وَمَنْ مَاتَ وَهُوَ يَشْرَبُ الْخَمْرَ يُدْمِنُهَا لَمْ يَشْرَبْهَا فِي الآخِرَةِ**».

3680 ـ حدّثنا مُحَمَّدُ بنُ رَافِعٍ النَّيْسَابُورِيُّ، قال: حدَّثنا إِبْرَاهِيمُ بنُ عُمَرَ الصَّنْعَانِيُّ قال: سَمِعْتُ النُّعْمَانَ بنَ بَشِيرٍ يَقُولُ: عن طَاوسٍ، عن ابنِ عَبَّاسٍ، عن النَّبِيِّ ﷺ قالَ: «**كُلُّ مُخْمِرٍ خَمْرٌ، وَكُلُّ مُسْكِرٍ حَرَامٌ، وَمَنْ شَرِبَ مُسْكِرًا بُخِسَتْ صَلاَتُهُ أَرْبَعِينَ صَبَاحًا، فَإِنْ تَابَ تَابَ اللَّه عَلَيْهِ، فَإِنْ عَادَ الرَّابِعَةَ كَانَ حَقًّا عَلَى اللَّهِ أَنْ يَسْقِيَهُ مِنْ طِينَةِ الْخَبَالِ**». قِيلَ: وَمَا طِينَةُ الْخَبَالِ يَا رَسُولَ اللَّهِ؟ قال: «**صَدِيدُ أَهْلِ النَّارِ، وَمَنْ سَقَاهُ صَغِيرًا لاَ يَعْرِفُ حَلاَلَهُ مِنْ حَرَامِهِ كَانَ حَقًّا عَلَى اللَّهِ أَنْ يَسْقِيَهُ مِنْ طِينَةِ الْخَبَالِ**».

3681 ـ حدّثنا قُتَيْبَةُ: حدَّثنا إِسْمَاعِيلُ ـ يَعْنِي ابنَ جَعْفَرٍ ـ، عن دَاوُدَ بنِ بَكْرِ بنِ أَبِي الْفُرَاتِ، عن مُحَمَّدِ بنِ الْمُنْكَدِرِ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَا أَسْكَرَ كَثِيرُهُ فَقَلِيلُهُ حَرَامٌ**».

3682 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ الْقَعْنَبِيُّ، عن مَالِكٍ، عن ابنِ شِهَابٍ، عن أَبِي سَلَمَةَ، عن عَائِشَةَ رَضِيَ اللَّه عَنْهَا قَالَتْ: سُئِلَ رَسُولُ اللَّهِ ﷺ عن الْبِتْعِ، فقالَ: «**كُلُّ شَرَابٍ أَسْكَرَ فَهُوَ حَرَامٌ**».

قال أَبُو دَاوُدَ: قَرَأْتُ عَلَى يَزِيدَ بنِ عَبْدِ رَبِّهِ الْجُرْجُسِيِّ: حَدَّثَكُمْ مُحَمَّدُ بنُ حَرْبٍ، عن الزُّبَيْدِيِّ، عن الزُّهْرِيِّ بِهَذَا الْحَدِيثِ بِإِسْنَادِهِ. زَادَ: وَالْبِتْعُ نَبِيذُ الْعَسَلِ كَانَ أَهْلُ الْيَمَنِ يَشْرَبُونَهُ.

قال أَبُو دَاوُدَ: سَمِعْتُ أَحْمَدَ بنَ حَنْبَلٍ يَقُولُ: لاَ إِلَهَ إِلاَّ اللَّه، مَا كَانَ أَثْبَتَهُ مَا كَانَ فِيهِمْ مِثْلُهُ ـ يَعْنِي فِي أَهْلِ حِمْصٍ ـ يَعْنِي الْجُرْجُسِيَّ ـ.

3683 ـ حدّثنا هَنَّادُ بنُ السَّرِيِّ: حدَّثنا عَبْدَةُ، عن مُحَمَّدٍ ـ يَعْنِي ابنَ إِسْحَاقَ ـ، عن يَزِيدَ بنِ أَبِي حَبِيبٍ، عن مَرْثَدِ بنِ عَبْدِ اللَّهِ الْيَزَنِيِّ، عن دَيْلَم الْحِمْيَرِيِّ قالَ: سَأَلْتُ النَّبِيَّ ﷺ فَقُلْتُ: يَا رَسُولَ اللَّهِ إِنَّا بِأَرْضٍ بَارِدَةٍ نُعَالِجُ فِيهَا عَمَلاً شَدِيدًا وَإِنَّا نَتَّخِذُ شَرَابًا مِنْ

our country." He asked: "Does it intoxicate?" I answered in the affirmative, thereupon he said: "Then, shun it." I said: "But the people will not leave it." He said: "If they do not leave it, then fight them (until they leave it)."

3684- It is narrated on the authority of Abu Musa that he said: I asked the Messenger of Allah "Allah's blessing and peace be upon him" about a drink prepared out of honey, and he said: "This is the Bit'." I further said: "It also might be produced from millet and parley." He said: "This is the Mizr." He added: "Tell your people to eschew it."

3685- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade (to drink) wine, (to practice) gambling, (to play with) dice, and (to drink) the millet-based drink.

3686- It is narrated on the authority of Umm Salamah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade every intoxicating and anesthetizing (drink like wine or food like hemp).

3687- It is narrated on the authority of A'ishah that she said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Every intoxicant is unlawful (to drink), and (such of drinks as) of which a great quantity as much as) a Faraq (nearly 16 pounds) intoxicates, then, (a small quantity, even as little as) a handful thereof is unlawful."

[6] What About The Wine With Grains

(i.e. to add a certain kind of grains to the wine and when it is cooked it becomes more substantial and intoxicant)

3688- It is narrated on the authority of Malik Ibn Maryam that he said: Abd Ar-Rahman Ibn Ghunm visited us, and we discussed the cooked wine, thereupon he said: Abu Malik Al-Ash'ari related to me that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Some people belonging to my nation will drink wine, giving it a different name" (therewith to flee away from the unlawfulness on the basis that it is this which is called wine that has been prohibited, and such prohibition does not apply to anything else having a different name).

3689- It is narrated on the authority of Sufyan Ath-Thawri that he was asked about the wine with grains, thereupon he said: the Messenger of Allah "Allah's blessing and peace be upon him" said: "Some people belonging to my nation will drink wine, giving it a different name."

Abu Dawud says: Sufyan Ath-Thawri says: "The wine with grains is the drink of the wicked people."

هَذَا الْقَمْحِ نَتَقَوَّى بِهِ عَلَى أَعْمَالِنَا وَعَلَى بَرْدِ بِلاَدِنَا؟ قالَ: «**هَلْ يُسْكِرُ؟**» قُلْتُ: نَعَمْ. قالَ: «**فَاجْتَنِبُوهُ**». قال: قُلْتُ: فَإِنَّ النَّاسَ غَيْرُ تَارِكِيهِ. قالَ: «**فَإِنْ لَمْ يَتْرُكُوهُ فَقَاتِلُوهُمْ**».

3684 - حدّثنا وَهْبُ بنُ بَقِيَّةَ، عن خَالِدٍ، عن عَاصِمِ بنِ كُلَيْبٍ، عن أبي بُرْدَةَ، عن أبِي مُوسَى قال: سَأَلْتُ النَّبِيَّ ﷺ عن شَرَابٍ مِنَ الْعَسَلِ، فَقَالَ: «**ذَاكَ الْبِتْعُ**». قُلْتُ: وَيُنْتَبَذُ مِنَ الشَّعِيرِ وَالذُّرَةِ. فَقَالَ: «**ذَلِكَ الْمِزْرُ**». ثُمَّ قال: «**أَخْبِرْ قَوْمَكَ أَنَّ كُلَّ مُسْكِرٍ حَرَامٌ**».

3685 - حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قال: حدَّثنا حَمَّادٌ، عن مُحَمَّدِ بنِ إِسْحَاقَ، عن يَزِيدَ بنِ أَبِي حَبِيبٍ، عن الْوَلِيدِ بنِ عَبْدَةَ، عن عَبْدِ اللَّهِ بنِ عَمْرٍو: «أَنَّ نَبِيَّ اللَّهِ ﷺ نَهَى عن الْخَمْرِ وَالْمَيْسِرِ وَالْكُوبَةِ وَالْغُبَيْرَاءِ، وَقَالَ: «**كُلُّ مُسْكِرٍ حَرَامٌ**».

قال أَبُو دَاوُدَ: قال ابنُ سَلاَّمٍ أَبُو عُبَيْدٍ: الْغُبَيْرَاءُ السُّكُرْكَةُ تُعْمَلُ مِنَ الذُّرَةِ شَرَابٌ يَعْمَلُهُ الْحَبَشَةُ.

3686 - حدّثنا سَعِيدُ بنُ مَنْصُورٍ، قال: حدَّثنا أبُو شِهَابٍ عَبْدُ رَبِّهِ بنُ نَافِعٍ، عنْ الْحَسَنِ بنِ عَمْرٍو الْفُقَيْمِيِّ، عنْ الْحَكَمِ بنِ عُتَيْبَةَ، عنْ شَهْرِ بنِ حَوْشَبٍ، عن أُمِّ سَلَمَةَ قَالَتْ: «نَهَى رَسُولُ اللَّهِ ﷺ عن كُلِّ مُسْكِرٍ وَمُفَتِّرٍ».

3687 - حدّثنا مُسَدَّدٌ وَمُوسَى بنُ إِسْمَاعِيلَ قالاَ: حدَّثنا مَهْدِيٌّ ـ يَعْنِي ابنَ مَيْمُونٍ ـ قال: حدَّثنا أَبُو عُثْمَانَ، قال مُوسَى ـ وَهُوَ عَمْرُو بنُ سَلْمٍ الأَنْصَارِيُّ ـ: عن الْقَاسِمِ، عن عَائِشَةَ قالَتْ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**كُلُّ مُسْكِرٍ حَرَامٌ، وَمَا أَسْكَرَ مِنْهُ الْفَرْقُ فَمِلْءُ الكَفِّ مِنْهُ حَرَامٌ**».

[ت6/م6] ـ باب في الدَّاذِيِّ

3688 - حدّثنا أَحْمَدُ بنُ حَنْبَلٍ، قال: حدَّثنا زَيْدُ بنُ الْحُبَابِ، قال: حدَّثنا مُعَاوِيَةُ بنُ صَالِحٍ، عن حَاتِمِ بنِ حُرَيْثٍ، عن مَالِكِ بنِ أَبِي مَرْيَمَ قالَ: دَخَلَ عَلَيْنَا عَبْدُ الرَّحْمَنِ بنُ غَنْمٍ فَتَذَاكَرْنَا الطِّلاَءَ فَقَالَ: حَدَّثَنِي أَبُو مَالِكٍ الأَشْعَرِيُّ أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**لَيَشْرَبَنَّ نَاسٌ مِنْ أُمَّتِي الْخَمْرَ يُسَمُّونَهَا بِغَيْرِ اسْمِهَا**».

3689 - قال أَبُو دَاوُدَ: حدَّثنا شَيْخٌ مِنْ أَهْلِ وَاسِطَ قال: حدثنا أَبُو مَنْصُورٍ الْحَارِثُ بنُ مَنْصُورٍ قال: سَمِعْتُ سُفْيَانَ الثَّوْرِيَّ، وَسُئِلَ عن الدَّاذِيِّ، فقالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**لَيَشْرَبَنَّ نَاسٌ مِنْ أُمَّتِي الْخَمْرَ باسمٍ يُسَمُّونَهَا بِغَيْرِ اسْمِهَا**».

قال أَبُو دَاوُدَ: وَقَالَ سُفْيَانُ الثَّوْرِيُّ: الدَّاذِيُّ شَرَابُ الْفَاسِقِينَ.

[7] What About The Vessels

3690- It is narrated on the authority of both Ibn Abbas and Ibn Umar that they said: We bear witness that the Messenger of Allah "Allah's blessing and peace be upon him" forbade (to brew fruits in) the dry gourd, the green-coloured jar, the pitcher, and the hollowed stump of palm-trees.

3691- It is narrated on the authority of Sa'id Ibn Jubair that he said: I heard Ibn Umar having said: "The Messenger of Allah "Allah's blessing and peace be upon him" forbade brewing fruits in green-coloured jar." I came out as shocked by the statement of Ibn Umar "The Messenger of Allah "Allah's blessing and peace be upon him" forbade brewing fruits in green-coloured jar." I then came to Ibn Abbas and said: "Do you hear what Ibn Umar says?" He said: "What does he say?" I said: "He says that The Messenger of Allah "Allah's blessing and peace be upon him" forbade brewing fruits in a green-coloured jar." He said: "Ibn Umar has told the truth. The Messenger of Allah "Allah's blessing and peace be upon him" made unlawful brewing fruits in a green-coloured jar." I said: "What is the (brew prepared in) a green pitcher?" He said: "Every kind of drink whose fruits are brewed in earthen pitcher."

3692- It is narrated on the authority of Abu Jamrah from Ibn Abbas that he said: Once, the delegate of the tribe of Abd Al-Qais came to The Prophet "Allah's blessing and peace be upon him". They said: "We are from the tribe of Rabie'ah. We cannot come to you except in the sacred months since there is the infidel tribe of Mudar intervening between you and us. So please order us to do something good (concerning religion) by which we may enter Paradise, and of which we may inform our people whom we have left behind." The Prophet "Allah's blessing and peace be upon him" said: "I order you to do four things and forbid you (to use) four things. I order you to believe in Allah Alone." He explained it for them: "To testify that there is no god (to be worshipped) but Allah and that Muhammad is Allah's Apostle; to offer prayers perfectly; to pay the obligatory charity; to observe fasts during the month of Ramadan; and to pay one fifth of the booty to be given to Allah and His Messenger. Then I forbid you (to use) four things, namely dry gourds, green-coloured jars, hollowed stumps of palm-trees, and receptacles." (All of them were used as containers of wine. The Prophet used the names of the pots to designate the prohibited drinks brewed in them).

[ت7/م7] ـ باب في الأَوعية

3690 ـ حدّثنا مُسَدَّدٌ، قال: حدَّثنا عَبْدُ الْوَاحِدِ بنُ زِيَادٍ، قال: حدَّثنا مَنْصُورُ بنُ حَيَّانَ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عُمَرَ وَابْنِ عَبَّاسٍ قالاَ: «نَشْهَدُ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عن الدُّبَّاءِ، وَالْحَنْتَمِ، وَالْمُزَفَّتِ، والنَّقِيرِ».

3691 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ وَمُسْلِمُ بنُ إِبْرَاهِيمَ ـ الْمَعْنَى ـ قالاَ: حدَّثنا جَرِيرٌ، عن يَعْلَى ـ يَعْنِي ابنَ حَكِيمٍ ـ، عن سَعِيدِ بنِ جُبَيْرٍ، قالَ: سَمِعْتُ عَبْدَ اللَّهِ بنَ عُمَرَ يَقُولُ: «حَرَّمَ رَسُولُ اللَّهِ ﷺ نَبِيذَ الْجَرِّ فَخَرَجْتُ فزِعًا مِنْ قَوْلِهِ: حَرَّمَ رَسُولُ اللَّهِ ﷺ نَبِيذَ الْجَرِّ فَدَخَلْتُ عَلَى ابنِ عَبَّاسٍ فَقُلْتُ: أَمَا تَسْتَمِعُ مَا يَقُولُ ابنُ عُمَرَ؟ قالَ: وَمَا ذَاكَ؟ قُلْتُ: قال: حَرَّمَ رَسُولُ اللَّهِ ﷺ نَبِيذَ الْجَرِّ. قال: صَدَقَ، حَرَّمَ رَسُولُ اللَّهِ ﷺ نَبِيذَ الْجَرِّ. قُلْتُ: مَا الْجَرُّ؟ قال: كُلُّ شَيْءٍ يُصْنَعُ مِنْ مَدَرٍ».

3692 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ وَمُحَمَّدُ بنُ عُبَيْدٍ قالاَ: حدَّثنا حَمَّادٌ. (ح)، وحدَّثنا مُسَدَّدٌ، قال: أخبرنا عَبَّادُ بنُ عَبَّادٍ، عن أَبي جَمْرَةَ قال: سَمِعْتُ ابنَ عَبَّاسٍ يَقُولُ. وقال مُسَدَّدٌ: عن ابنِ عَبَّاسٍ، وَهَذَا حَدِيثُ سُلَيْمَانَ قال: قَدِمَ وَفْدُ عَبْدِ الْقَيْسِ عَلَى رَسُولِ اللَّهِ ﷺ فقالُوا: يَا رَسُولَ اللَّهِ إِنَّا هَذَا الْحَيَّ مِنْ رَبِيعَةَ قَدْ حَالَ بَيْنَنَا وَبَيْنَكَ كُفَّارُ مُضَرَ وَلَيْسَ نَخْلُصُ إِلَيْكَ إِلاَّ فِي شَهْرٍ حَرَامٍ، فَمُرْنَا بِشَيْءٍ نَأْخُذُ بِهِ وَنَدْعُو إِلَيْهِ مَنْ وَرَاءَنَا. قال: «**آمُرُكُمْ بِأَرْبَعٍ وَأَنْهَاكُمْ عن أَرْبَعٍ: الإِيمَانُ باللَّهِ وَشَهَادَةُ أَنْ لاَ إِلَهَ إِلاَّ اللَّه**» وَعَقَدَ بِيَدِهِ وَاحِدَةً، وَقَالَ مُسَدَّدٌ: الإيمانُ باللَّهِ، ثُمَّ فَسَّرَهَا لَهُم: «**شَهَادَةُ أَنْ لاَ إِلَهَ إِلاَّ اللَّه وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ وَإِقَامُ الصَّلاَةِ وَإِيتَاءُ الزَّكَاةِ وَأَنَّ تُؤَدُّوا الْخُمُسَ مِمَّا غَنِمْتُمْ. وَأَنْهَاكُم عن الدُّبَّاءِ، وَالْحَنْتَمِ، وَالْمُزَفَّتِ، والْمُقَيَّرِ**». وَقالَ ابنُ عُبَيْدٍ: النَّقِيرِ مَكَانَ الْمُقَيَّرِ. وقالَ مُسَدَّدٌ: وَالنَّقِيرِ، وَالْمُقَيَّرِ. ولَمْ يَذْكُر الْمُزَفَّتِ.

قال أَبُو دَاوُدَ: أَبُو جَمْرَةَ نَصْرُ بنُ عِمْرَانَ الضُّبَعِيُّ.

3693- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said to the delegate of Abd Al-Qais: "I forbid you to use the hollow stumps of date-palms, the receptacle, the green-coloured jar, the dry gourd, and the water-skin whose mouth is cut off; but you might drink in your water-skin and get its mouth tied up with a string."

3694- It is narrated on the authority of Ibn Abbas pertaining to the story of the delegate of Abd Al-Qais that they asked: "In which containers should we drink O Prophet of Allah?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "I advice you to use the water-skin, whose mouth is tied up with a string."

3695- It is narrated on the authority of Abu Al-Qamus: Zaid Ibn Ali that he said: I was reported by one of the members of the delegate of Abd Al-Qais called Qais Ibn An-Nu'man, who came to the Messenger of Allah "Allah's blessing and peace be upon him" that he said to them: "Do not drink in a hollow stump of date-palm, nor in a receptacle smeared with pitch, nor in a dry gourd, nor in a green-coloured jar; and you might drink in the water-skin whose mouth is tied up with a string. But in case it (the drink it implies) becomes too intense and strong (upon you to bear), then, mix it with water; and in case it troubles you, then, spill it."

3696- It is narrated on the authority of Ibn Abbas that the delegate of Abd Al-Qais said to the Messenger of Allah "Allah's blessing and peace be upon him": "In which containers should we drink O Prophet of Allah?" he said: "Do not drink in a dry gourd, nor in a pitched receptacle, nor in a hollow stump of date-palm, and you might soak your drinks in the water-skin." They said: "O Messenger of Allah! In case it becomes substantially intoxicant in the water-skin (what should we do?)" he said: "Then, mix it with water." They said: "O Messenger of Allah!..." and he said to them either in the third or in the fourth time: "Then, spill it." He further said: "No doubt, wine, gambling and (playing with) dice have been forbidden to me by Allah Almighty. Indeed, all the intoxicants are unlawful."

3697-It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to use the dry gourd, the green-coloured jar, the hollow stump of the date-palm, and further (to drink) beer.

3698-It is narrated on the authority of Ibn Buraidah from his father that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I had forbidden you to do three things, and now I tell you to do them

3693 ـ حدّثنا وَهْبُ بنُ بَقِيَّةَ، عن نُوحِ بنِ قَيْسٍ، قال: حدَّثنا عَبْدُ اللَّهِ بنُ عَوْنٍ، عن مُحَمَّدِ بنِ سِيرِينَ، عن أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قال لِوَفْدِ عَبْدِ الْقَيْسِ: **«أَنْهَاكُمْ عن النَّقِيرِ وَالْمُقَيَّرِ وَالْحَنْتَمِ وَالدُّبَّاءِ وَالْمَزَادَةِ الْمَجْبُوبَةِ وَلَكِنِ اشْرَبْ فهي سِقَائِكَ وَأَوْكِهِ»**.

3694 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا أَبَانُ قال: حدَّثنا قَتَادَةُ، عن عِكْرِمَةَ وَسَعِيدِ بنِ الْمُسَيَّبِ، عن ابنِ عَبَّاسٍ فِي قِصَّةِ وَفْدِ عَبْدِ الْقَيْسِ: قَالُوا: فِيمَا نَشْرَبُ يَا نَبِيَّ اللَّهِ؟ فقالَ نَبِيُّ اللَّهِ ﷺ: **«عَلَيْكُمْ بِأَسْقِيَةِ الأَدَمِ الَّتِي يُلاَثُ عَلَى أَفْوَاهِهَا»**.

3695 ـ حدّثنا وَهْبُ بنُ بَقِيَّةَ، عن خَالِدٍ، عن عَوْفٍ، عن أَبِي الْقَمُوصِ زَيْدِ بنِ عَلِيٍّ قال: حَدَّثَنِي رَجُلٌ كَانَ مِنَ الْوَفْدِ الَّذِينَ وَفَدُوا إِلَى النَّبِيِّ ﷺ مِنْ عَبْدِ الْقَيْسِ يَحْسِبُ عَوْفٌ أَنَّ اسْمَهُ قَيْسُ بنُ النُّعْمَانِ فَقَالَ: **«لاَ تَشْرَبُوا فِي نَقِيرٍ، وَلاَ مُزَفَّتٍ، وَلاَ دُبَّاءٍ، وَلاَ حَنْتَمٍ، وَاشْرَبُوا فِي الْجِلْدِ الموكَّى عَلَيْهِ، فَإِنِ اشْتَدَّ فَاكْسِرُوهُ بالمَاءِ، فَإِنْ أَعْيَاكُمْ فَأَهْرِيقُوهُ»**.

3696 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ، قال: حدَّثنا أَبُو أَحْمَدَ، قال: حدَّثنا سُفْيَانُ، قال: عن عَلِيِّ بنِ بَذِيمَةَ، قال: حَدَّثَنِي قَيْسُ بنُ حَبْتَرٍ النَّهْشَلِيُّ، عن ابنِ عَبَّاسٍ قال: إِنَّ وَفْدَ عَبْدِ الْقَيْسِ قالُوا: يَا رَسُولَ اللَّهِ فِيمَا نَشْرَبُ؟ قالَ: **«لاَ تَشْرَبُوا فِي الدُّبَّاءِ، وَلاَ فِي الْمُزَفَّتِ، وَلاَ فِي النَّقِيرِ وَانْتَبِذُوا فِي الأَسْقِيَةِ»**. قالُوا: يَا رَسُولَ اللَّهِ ﷺ فَإِنِ اشْتَدَّ فِي الأَسْقِيَةِ؟ قال: **«فَصُبُّوا عَلَيْهِ المَاءَ»**. قالُوا: يَا رَسُولَ اللَّهِ، فَقَالَ لَهُمْ فِي الثَّالِثَةِ أَوْ الرَّابِعَةِ: **«أَهْرِيقُوهُ»**. ثُمَّ قال: **«إِنَّ اللَّهَ حَرَّمَ عَلَيَّ أَوْ حُرِّمَ الْخَمْرُ وَالْمَيْسِرُ وَالْكوبَةُ»**، قال: **«وَكُلُّ مُسْكِرٍ حَرَامٌ»**.

قال سُفْيَانُ: فَسَأَلْتُ عَلِيَّ بنَ بَذِيمَةَ عن الْكُوبَةِ، قال: الطَّبْلُ.

3697 ـ حدّثنا مُسَدَّدٌ، قال: حدَّثنا عَبْدُ الْوَاحِدِ، قال: حدَّثنا إِسْمَاعِيلُ بنُ سُمَيْعٍ، قالَ: أخبرنا مَالِكُ بنُ عُمَيْرٍ، عنْ عَلِيٍّ عليه السلام قالَ: «نَهَانَا رَسُولُ اللَّهِ ﷺ عن الدُّبَّاءِ، وَالْحَنْتَمِ، وَالنَّقِيرِ، وَالْجِعَةِ».

3698 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا مُعَرَّفُ بنُ وَاصِلٍ، عنْ مُحَارِبِ بنِ دِثَارٍ، عن ابنِ بُرَيْدَةَ، عنْ أَبِيهِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«نَهَيْتُكُمْ عَنْ ثَلاَثٍ وَأَنَا آمُرُكُمْ**

(since there is no harm in them): I had forbidden you to visit the graves, and now you might visit them, since in visiting them there is a reminder (of death); and I had forbidden you not to drink but in the leather-containers, and now you might drink in all kinds of utensils, on the condition that you should not drink any intoxicant; and I further had forbidden you not to eat out of the meat of your sacrifices after three days, and now eat out of it (as much and as long as you like) and get benefit from it in your journeys."

3699- It is narrated on the authority of Jabir that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" forbade brewing fruits in the vessels (other than the skin), the Ansar said: "But we should inevitably use them." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, let it (such a forbiddance) be ineffective."

3700- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" made a mention of (such vessels as) the dry gourd, the green-coloured jar, the pitched receptacle, and the hollow stump of date-palm, thereupon a desert dweller said: "We have no containers (to drink in other than those)." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, drink (in them provided that you should drink) what is lawful."

3701- The same is narrated on the authority of Sharik through the same chain of transmission, in which he said: "Shun what intoxicates."

3702- It is narrated on the authority of Jabir that he said: It was their habit to prepare fruit soakage for the Messenger of Allah "Allah's blessing and peace be upon him" in a water-skin, and in case they found no water-skin, they used to prepare it in a stone pot.

[8] What About Mixing Two Kinds Of Fruits (In Brewing)?

(It is to brew the fruits of both dates and raisins until the resulting drink becomes substantially intoxicant because of boiling)

3703- It is narrated on the authority of Jabir Ibn Abdullah from the Messenger of Allah "Allah's blessing and peace be upon him" that he forbade brewing the fruits of both dates and raisins; and he further forbade brewing the fruits of both dry dates and fresh dates.

3704- It is narrated on the authority of Abdullah Ibn Abu Qatadah from his father that the Messenger of Allah "Allah's blessing and peace be upon him" forbade brewing the fruits of both dates and raisins; and he

بِهِنَّ: نَهَيْتُكُمْ عنْ زِيَارَةِ الْقُبُورِ فَزُورُوهَا، فَإِنَّ فِي زِيَارَتِهَا تَذْكِرَةً، وَنَهَيْتُكُمْ عن الأَشْرِبَةِ أَنْ تَشْرَبُوا إِلاَّ فِي ظُرُوفِ الأَدَمِ فَاشْرَبُوا فِي كُلِّ وِعَاءٍ غَيْرَ أَنْ لاَ تَشْرَبُوا مُسْكِرًا، وَنَهَيْتُكُمْ عَنْ لُحُومِ الأَضَاحِي أَنْ تَأْكُلُوهَا بَعْدَ ثَلاَثٍ فَكُلُوا وَاسْتَمْتِعُوا بِهَا فِي أَسْفَارِكُمْ».

3699 ـ حدّثنا مُسَدَّدٌ، قالَ: حدَّثنا يَحيَى، عنْ سُفْيَانَ، قالَ: حَدَّثَنِي مَنْصُورٌ، عنْ سَالِمِ بنِ أَبِي الْجَعْدِ، عنْ جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: لَمَّا نَهَى رَسُولُ اللَّهِ ﷺ عن الأَوْعِيَةِ قال قَالَتْ الأَنْصَارُ: إِنَّهُ لاَ بُدَّ لَنا قالَ: «**فَلاَ إِذَنْ**».

3700 ـ حدّثنا مُحَمَّدُ بنُ جَعْفَرِ بنِ زِيَادٍ، قالَ: حدَّثنا شَرِيكٌ، عنْ زِيَادِ بنِ فَيَّاضٍ، عن أَبِي عِيَاضٍ، عنْ عَبْدِ اللَّهِ بنِ عَمْرٍو قالَ: ذَكَرَ النَّبِيُّ ﷺ الأَوْعِيَةَ: الدُّبَّاءَ، وَالْحَنْتَمَ، وَالمُزَفَّتَ، وَالنَّقِيرَ، فَقَالَ أَعْرَابِيٌّ: إِنَّهُ لاَ ظُرُوفَ لَنَا، فَقَالَ: «**اشْرَبُوا مَا حَلَّ**».

3701 ـ حدّثنا الْحَسَنُ ـ يَعْنِي ابنَ عَلِيٍّ ـ قالَ: حدَّثنا يَحْيَى بنُ آدَمَ، قالَ: أخبرنا شَرِيكٌ بِإِسْنَادِهِ قالَ: «**اجْتَنِبُوا مَا أَسْكَرَ**».

3702 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ، قالَ: أخبرنا زُهَيْرٌ، قالَ: أخبرنا أَبُو الزُّبَيْرِ، عنْ جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: «**كَانَ يُنْبَذُ لِرَسُولِ اللَّهِ ﷺ فِي سِقَاءٍ، فَإِذَا لَمْ يَجِدُوا سِقَاءً نُبِذَ لَهُ فِي تَوْرٍ مِنْ حِجَارَةٍ**».

[ت8/م8] ـ باب في الخليطين

3703 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ، قالَ: حدَّثنا اللَّيْثُ، عنْ عَطَاءِ بنِ أَبِي رَبَاحٍ، عن جَابِرِ بنِ عَبْدِ اللَّهِ، عَنْ رَسُولِ اللَّهِ ﷺ: «أَنَّهُ نَهَى أَنْ يُنْتَبَذَ الزَّبِيبُ وَالتَّمْرُ جَمِيعًا وَنَهَى أَنْ يُنْتَبَذَ الْبُسْرُ وَالرُّطَبُ جَمِيعًا».

3704 ـ حدّثنا أَبُو سَلَمَةَ مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا أَبَانُ، قالَ: حَدَّثَنِي يَحْيَى، عنْ عَبْدِ اللَّهِ بنِ أَبِي قَتَادَةَ، عنْ أَبِيهِ: أَنَّهُ نَهَى عَنْ خَلِيطِ الزَّبِيبِ

further forbade brewing the fruits of both dry dates and fresh dates; and he also forbade brewing the fruits of both unripe and ripe fresh dates, and said: “Prepare juice from each kind solely.” A Hadith like this is narrated on the authority of Abu Salamah Ibn Abd Ar-Rahman from Abu Qatadah from the Messenger of Allah "Allah's blessing and peace be upon him".

3705- It is narrated on the authority of Ibn Abu Laila from one of the companions of the Messenger of Allah "Allah's blessing and peace be upon him" that the Messenger of Allah "Allah's blessing and peace be upon him" forbade brewing the fruits of both green dates and fresh dates, as well as of both raisins and dates.

3706- It is narrated on the authority of Kabshah Bint Abu Maryam that she said: I asked Umm Salamah: “Which things did the Messenger of Allah "Allah's blessing and peace be upon him" forbid?” she said: “The Messenger of Allah "Allah's blessing and peace be upon him" forbade us to cook the date-kernel so much exceedingly (until it would crumble and its taste would change); and he further forbade us to brew both dates in mixture with raisins.”

3707- It is narrated on the authority of A’ishah that sometimes, a soakage of raisins was prepared for him, in which some dates were thrown; and sometimes a soakage of dates was prepared for him, in which some raisins were thrown. (It should be known, in this respect, that the forbiddance of brewing the fruits of two kinds is applicable for fear of leading to intoxication; and if there is a guarantee against such a fear, then, the mixture might be acceptable).

3708- It is narrated on the authority of Safiyyah Bint Atiyyah that she said: I and some women belonging to Abd Al-Qais entered upon A’ishah and asked her about the (fruit brew of the) mixture of both dates and raisins, thereupon she said: “I used to pick a handful of dates, and a handful of raisins and throw them in a utensil, rub them (with water), and then give (the resulting juice) to the Messenger of Allah "Allah's blessing and peace be upon him" to drink.”

[9] The Fruit Brew Of The Unripe Dates

3709- It is narrated on the authority of both Jabir Ibn Zaid and Ikrimah that they disliked (brewing the fruits of) the unripe dates solely, and pretended that they transmitted that from Ibn Abbas. Ibn Abbas said in

وَالتَّمْرِ، وَعَنْ خَلِيطِ الْبُسْرِ وَالتَّمْرِ، وَعَنْ خَلِيطِ الزَّهْوِ وَالرُّطَبِ وَقَالَ: «**انْتَبِذُوا كُلَّ وَاحِدٍ عَلَى حِدَةٍ**» قالَ: وَحَدَّثَنِي أَبُو سَلَمَةَ بنُ عَبْدِ الرَّحْمَنِ، عنْ أَبِي قَتَادَةَ، عن النَّبِيِّ ﷺ بِهَذَا الْحَدِيثِ.

3705 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ وَحَفصُ بنُ عُمَرَ النَّمَرِيُّ قالا: حدَّثنا شُعْبَةُ، عن الْحَكَمِ، عَنْ ابنِ أَبِي لَيْلَى، عَنْ رَجُلٍ، قالَ حَفْصٌ: مِنْ أَصْحَابِ النَّبِيِّ ﷺ، عَنِ النَّبِيِّ ﷺ قَالَ: «نَهَى عَنِ الْبَلَحِ وَالتَّمْرِ وَالزَّبِيبِ وَالتَّمْرِ».

3706 ـ حدّثنا مُسَدَّدٌ، قالَ: حدَّثنا يَحْيَى، عنْ ثَابِتِ بنِ عَمَارَةَ: حَدَّثَتْنِي رَيْطَةُ، عَنْ كَبْشَةَ بِنْتِ أَبِي مَرْيَمَ قَالَتْ: «سَأَلْتُ أُمَّ سَلَمَةَ رَضِيَ اللَّهُ عَنْهَا مَا كَانَ النَّبِيُّ ﷺ يَنْهَى عَنْهُ؟ قالَتْ: كَانَ يَنْهَانَا أَنْ نَعجُمَ النَّوَى طَبْخًا أَوْ نَخْلِطَ الزَّبِيبَ وَالتَّمْرِ».

3707 ـ حدّثنا مُسَدَّدٌ، قالَ: حدثنا عَبْدُ اللَّهِ بنُ دَاوُدَ، عَنْ مِسْعَرٍ، عن مُوسَى بنِ عَبْدِ اللَّهِ، عن امْرَأَةٍ مِنْ بَنِي أَسَدٍ، عَنْ عَائِشَةَ: «أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يُنْبَذُ لَهُ زَبِيبٌ فَيُلْقَى فِيهِ تَمْرٌ أَوْ تَمرٌ فَيُلْقَى فِيهِ زَبِيبٌ».

3708 ـ حدّثنا زِيَادُ بنُ يَحيَى الْحَسَّانِيُّ: حدَّثنا أَبُو بَحْرٍ: حدَّثنا عَتَّابُ بنُ عَبْدِ الْعَزِيزِ الْحِمَّانِيُّ، قالَ: حَدَّثَتْنِي صَفِيَّةُ بِنْتُ عَطِيَّةَ قالَتْ: «دَخَلْتُ مَعَ نِسْوَةٍ مِنْ عَبْدِ الْقَيسِ عَلَى عَائِشَةَ فَسَأَلْنَاهَا عَنِ التَّمْرِ وَالزَّبِيبِ فَقَالَتْ: كُنْتُ آخذُ قَبْضَةً مِنْ تَمرٍ وَقَبْضَةً مِنْ زَبِيبٍ، فَأُلْقِيهِ فِي إِنَاءٍ، فَأَمْرُسُهُ ثُمَّ أَسْقِيهِ النَّبِيَّ ﷺ».

[ت9/م9] ـ باب في نبيذ البُسْرِ

3709 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ، قالَ: حدَّثنا مُعَاذُ بنُ هِشَامٍ، قالَ: حَدَّثَنِي أَبِي، عنْ قَتَادَةَ، عنْ جَابِرِ بنِ زَيْدٍ وَعِكْرِمَةَ أَنَّهُمَا كَانَا يَكْرَهَانِ الْبُسْرَ وَحْدَهُ وَيَأْخُذَانِ ذَلِكَ، عن ابنِ عَبَّاسٍ وَقَالَ ابنُ عَبَّاسٍ: أَخْشَى أَنْ

that respect: "I fear this might be the same Muzza' forbidden to (the tribe of) Abd Al-Qais." I asked Qatadah: "What is the Muzza'?" he said: "It is the fruit brew prepared in the green-coloured jar and pitcher."

[10] The Constitution Of The Fruit Brew

3710- It is narrated on the authority of Abdullah Ibn Ad-Dailami from his father that he said: We went to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! We know who we are, from whom we have come: then, to whom would we return?" he said: "You would return to Allah and His Messenger." We said: "O Messenger of Allah! We have (gardens of) vine: what should we do with them?" he said: "Make raisins from the grapes." We asked: "Then, what should we do with the raisins?" he said: "Soak them at the time of your early meal, in order to drink (the resulting juice of) it at the time of your supper; and soak them at the time of your supper, in order to drink it at the time of your early meal (of the coming day). You should further soak that in water-skins, but not in jars, since if it remains after pressing for a time longer than enough, it would turn into vinegar."

3711- It is narrated on the authority of A'ishah that she said: Fruit soakage was prepared for The Messenger of Allah "Allah's blessing and peace be upon him" in a water skin, whose upper part was tied and (in whose lower part)it had a hole (for the liquid to come out). Whenever fruit soakage was prepared for him in the morning, he would drink it in the evening, and whenever it was prepared for him in the evening, he would drink it in the morning.

3712- It is narrated on the authority of A'ishah that she used to prepare fruit soakage for the Messenger of Allah "Allah's blessing and peace be upon him" in the morning, (and she said): "And when it was the time of his supper, he would have his supper and then drink it, and if something remained out of it, I would pour or spill it." Then, she used to prepare a new and fresh fruit soakage for him at night, and when it was the morning (of the coming day), and it was the time of his early meal, he would have his meal and then drink it. She further said: "The water-skin (in which such a fruit soakage was prepared) used to be washed (twice everyday, i.e.) in the morning and in the evening." My father asked her: "Do you mean twice a day?" she answered in the affirmative.

3713- It is narrated on the authority of Ibn Abbas that he said: The fruit soakage of raisins used to be prepared for the Messenger of Allah "Allah's blessing and peace be upon him", from which

يَكُونَ الْمُزَّاءَ الَّذِي نُهِيَتْ عَنْهُ عَبْدُ الْقَيْسِ. فَقُلْتُ لِقَتَادَةَ: مَا الْمُزَّاءُ؟ قالَ: النَّبِيذُ فِي الْحَنْتَمِ وَالْمُزَفَّتِ.

[ت10/م10] ـ باب في صفة النبيذ

3710 ـ حدّثنا عِيسَى بنُ مُحَمَّدٍ، قالَ: حدَّثنا ضَمْرَةُ، عنِ السَّيْبَانِيِّ، عَنْ عَبْدِ اللَّهِ بنِ الدَّيْلَمِيِّ، عنْ أَبِيهِ قالَ: أَتَيْنَا النَّبِيَّ ﷺ فَقُلْنَا: يَا رَسُولَ اللَّهِ قَدْ عَلِمْتَ مَنْ نَحنُ وَمِنْ أَيْنَ نَحنُ فَإِلَى مَنْ نَحنُ؟ قالَ: «**إِلَى اللَّهِ وَإِلَى رَسُولِهِ**»، فَقُلْنَا: يَا رَسُولَ اللَّهِ إِنَّ لَنَا أَعْنَابًا مَا نَصْنَعُ بِهَا؟ قالَ: «**زَبِّبُوهَا**»، قُلْنَا: مَا نَصْنَعُ بالزَّبِيبِ؟ قالَ: «**انْبِذُوهُ عَلَى غَدَائِكُمْ، وَاشْرَبُوهُ عَلَى عَشَائِكُمْ، وَانبِذُوهُ عَلَى عَشَائِكُمْ وَاشْرَبُوهُ عَلَى غَدَائِكُمْ، وَانْبِذُوهُ فِي الشِّنَانِ وَلاَ تَنْبِذُوهُ فِي الْقُلَلِ، فَإِنَّهُ إِذَا تَأَخَّرَ عَنْ عَصْرِهِ صَارَ خَلاًّ**».

3711 ـ حدّثنا مُحَمَّدُ بنُ الْمُثَنَّى، قالَ: حَدَّثَنِي عَبْدُ الْوَهَّابِ بنُ عَبْدِ الْمَجِيدِ الثَّقَفِيُّ، عَنْ يُونُسَ بنِ عُبَيْدٍ، عن الْحَسَنِ، عنْ أُمِّهِ، عَنْ عَائِشَةَ قالَتْ: «كَانَ يُنْبَذُ لِرَسُولِ اللَّهِ ﷺ فِي سِقَاءٍ يُوكَأُ أَعْلاَهُ وَلَهُ عَزْلاَءُ يُنْبَذُ غُدْوَةً فَيَشْرَبُهُ عِشَاءً ويُنْبَذُ عِشَاءً فَيَشْرَبُهُ غُدْوَةً».

3712 ـ حدّثنا مُسَدَّدٌ، قال: حدَّثنا الْمُعْتَمِرُ، قالَ: سَمِعْتُ شَبِيبَ بنَ عَبْدِ الْمَلِكِ يُحَدِّثُ، عنْ مُقَاتِلِ بنِ حَيَّانَ، قالَ: حَدَّثَتْنِي عَمَّتِي عَمْرَةُ، عَنْ عَائِشَةَ رضي اللَّهُ عنها: «أَنَّهَا كَانَتْ تَنبذُ لِرَسُولِ اللَّهِ ﷺ غُدْوَةً فَإِذَا كَانَ مِنَ الْعَشِيِّ فَتَعَشَّى شَرِبَ عَلَى عَشَائِهِ، فَإِنْ فَضلَ شَيْءٌ صَبَبْتُهُ أَوْ فَرَّغْتُهُ ثُمَّ تَنبذُ لَهُ بِاللَّيْلِ فَإِذَا أَصْبَحَ تَغَدَّى فَشَرِبَ عَلَى غَدَائِهِ، قالَتْ: يُغسلُ السِّقَاءَ غُدْوَةً وَعَشِيَّةً، فقالَ لهَا أَبِي: مَرَّتَيْنِ فِي يَوْمٍ؟ قالَتْ: نَعَمْ».

3713 ـ حدّثنا مَخْلَدُ بنُ خَالِدٍ، قالَ: حدَّثنا أَبُو مُعَاوِيَةَ، عنِ الأَعْمَشِ، عنْ أَبِي عُمَرَ يَحْيَى بنِ عُبَيْدٍ الْبَهْرَانِيِّ، عن ابنِ عَبَّاسٍ قالَ: «كَانَ يُنْبَذُ للنَّبِيِّ ﷺ

he would drink on the same day, during the coming day, and then the day after, up to the evening of the third day; then he would order that it should be checked up by the servants, or (if it was spoilt) it should be spilled.

[11] The Drink Of Honey

3714- It is narrated on the authority of A'ishah: The Messenger of Allah "Allah's blessing and peace be upon him" used to drink honey in the house of Zainab, the daughter of Jahsh, and would stay there with her. So Hafsah and I agreed secretly that, if he comes to either of us, she will say to him: "It seems you have eaten Maghafir (a kind of bad-smelling resin), for I smell in you the smell of Maghafir." (We did so). He replied: "No, but I was drinking honey in the house of Zainab, the daughter of Jahsh, and I shall never take it again." On that occasion Allah Almighty revealed: "O Prophet! Why do you hold to be forbidden that which Allah has made lawful to you? You seek to please thy consorts but Allah is Oft-Forgiving, Most Merciful. When the Prophet disclosed a matter of confidence to one of his consorts (i.e. when he told her that he had drunk honey in the house of Zainab)...If you two (i.e. both A'ishah and Hafsah) turn in repentance to Him, your hearts are indeed so inclined." (At-Tahrim 1:4) (Many religious scholars are of the opinion that this Holy Verse was revealed on another occasion, as shown in the following narration: It is narrated by An-Nisa'i on the authority of Anas that the Messenger of Allah "Allah's blessing and peace be upon him" had a slave-girl, with whom he had sexual relation. But A'ishah and Hafsah kept asking him pressingly until they made him forbid her to himself. In connection with that, Allah Almighty revealed this holy Verse).

3715- It is narrated on the authority of A'ishah: The Messenger of Allah "Allah's blessing and peace be upon him" was fond of honey and sweet edible things. After finishing the Asr prayer he was accustomed to visit his wives and stay with everyone of them for a time. Once he went to Hafsah, the daughter of Umar and stayed with her more than usual. I got jealous and asked the reason for that. I was told that a lady of her folk had given her as a gift a skin filled with honey, from which she made drink and gave it to The Prophet to drink (and that was the reason for the delay). I said: "By Allah we will play a trick on him (to prevent him from doing so)." So I said to Sawdah Bint Zam'ah: "The Prophet will approach you, and when he comes near you, say: "Have you taken Maghafir (a bad-smelling gum)?" (However, The Messenger of Allah "Allah's blessing and peace be upon him" used to feel it hard that a bad smell would be detected on him). He

الزَّبِيبُ فَيَشْرَبُهُ الْيَوْمَ وَالْغَدَ وَبَعْدَ الْغَدِ إِلَى مَسَاءِ الثَّالِثَةِ ثُمَّ يَأْمُرُ بِهِ فَيُسْقَى الْخَدَمَ أَوْ يُهَرَاقُ».

قال أَبُو دَاوُدَ: وَمَعْنَى يُسْقَى الْخَدَمَ يُبَادَرُ بِهِ الْفَسَادَ.

قال أَبُو دَاوُدَ: أَبُو عُمَرَ يَحْيَى بنُ عُبَيْدٍ الْبَهْرَانِيُّ.

[ت11/م11] ـ باب في شراب العسل

3714 ـ حدّثنا أَحْمَدُ بنُ مُحَمَّدِ بنِ حَنْبَلٍ، قالَ: حدَّثنا حَجَّاجُ بنُ مُحَمَّدٍ، قالَ: قالَ ابنُ جُرَيْجٍ، عنْ عَطَاءٍ أَنَّهُ سَمِعَ عُبَيْدَ بنَ عُمَيْرٍ قالَ: سَمِعْتُ عَائِشَةَ رضي اللَّهُ عنها زَوْجَ النَّبِيِّ ﷺ تُخْبِرُ أَنَّ النَّبِيَّ ﷺ كَانَ يَمْكُثُ عِنْدَ زَيْنَبَ بِنْتِ جَحْشٍ فَيَشْرَبُ عِنْدَهَا عَسَلاً، فَتَوَاصَيْتُ أَنَا وَحَفْصَةُ أَيَّتُنَا مَا دَخَلَ عَلَيْهَا النَّبِيُّ ﷺ فَلْتَقُلْ إِنِّي أَجِدُ مِنْكَ رِيحَ مَغَافِيرَ، فَدَخَلَ عَلَى إِحْدَاهُنَّ فَقَالَتْ لَهُ ذَلِكَ فَقَالَ: «**بَلْ شَرِبْتُ عَسَلاً عِنْدَ زَيْنَبَ بِنْتِ جَحْشٍ وَلَنْ أَعُودَ لَهُ**»، فَنَزَلَتْ: ﴿لِمَ تُحَرِّمُ مَآ أَحَلَّ ٱللَّهُ لَكَۖ تَبْتَغِى مَرْضَاتَ أَزْوَٰجِكَۚ﴾ [التحريم: 1] إلى ﴿إِن تَتُوبَآ إِلَى ٱللَّهِ﴾ لِعَائِشَةَ وَحَفْصَةَ رضي اللَّهُ عنهما ﴿وَإِذْ أَسَرَّ ٱلنَّبِىُّ إِلَىٰ بَعْضِ أَزْوَٰجِهِۦ حَدِيثًا﴾ [التحريم: 4] لِقَوْلِهِ ﷺ: «**بَلْ شَرِبْتُ عَسَلاً**».

3715 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا أَبُو أُسَامَةَ، عنْ هِشَامٍ، عنْ أَبِيهِ، عَنْ عَائِشَةَ قالَتْ: «كَانَ رَسُولُ اللَّهِ ﷺ يُحِبُّ الْحَلْوَاءَ وَالْعَسَلَ، فَذَكَرَ بَعْضَ هَذَا الْخَبَرِ: وَكَانَ رَسُولُ اللَّهِ ﷺ يَشْتَدُّ عَلَيْهِ أَنْ تُوجَدَ مِنْهُ الرِّيحُ».

وَفِي الْحَدِيثِ قَالَتْ سَوْدَةُ: بَلْ أَكَلْتَ مَغَافِيرَ قالَ: «**بَلْ شَرِبْتُ عَسَلاً**

will say: “No.” Then say to him: “Then what is this bad smell, which I smell from you?” He will say to you: “Hafsah made me drink honey drink.” Then say: “Perhaps the bees of that honey had sucked the juice of the tree of Urfut.” I shall also say the same. O you, Safiyyah, say the same." So when The Prophet came near Sawdah, she said to him: "O Allah's Apostle! Have you taken Maghafir?" He said: "No." She said: "Then what is this bad smell which I detect on you?" He said: "Hafsah made me have honey drink." She said: "Perhaps its bees had sucked the juice of Urfut tree." When he came to me, I also said the same, and when he went to Safiyyah, she also said the same. When The Prophet again went to Hafsah, she said: “O Allah's Apostle! Shall I give you more of that drink?" He said: "I am not in need of it." Sawdah said: "By Allah, we deprived him (of it)." I said to her: "Keep silent!"

[12] What About The Fruit Soakage When It Is Boiled?

3716- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" was fasting, and I expected the time of breaking his fast to serve him with fruit brew I had prepared in a dry gourd, and when I brought it to him behold! It was boiling. On that he said: “Pour it on (the land of) the garden, since it is the drink of such as has no faith in Allah and the Last Day.”

[13] Drinking While Standing

3717- It is narrated on the authority of Anas that the Messenger of Allah "Allah's blessing and peace be upon him" forbade that one should drink while standing.

3718- It is narrated on the authority of An-Nazzal Ibn Sabrah that Ali Ibn Abu Talib asked for Water and he drank while standing and then he said: “There are some men, anyone of whom dislikes to do so, even though I saw the Messenger of Allah "Allah's blessing and peace be upon him" having done the same as you saw me having done.”

[14] Drinking From The Mouth Of The Water-Skin

3719- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade drinking direct from the mouth of the water-skin, and riding such of animals as eats the dung; and he further forbade that the animal or bird should be fixed and thrown to death by arrows.

سَقَتْنِي حَفْصَةُ» فَقُلْتُ: جَرَسَتْ نَحْلُهُ الْعُرْفُطَ.

قال أَبُو دَاوُدَ: المَغَافِيرُ: مُقْلَةٌ وَهِيَ صَمْغَةٌ. وَجَرَسَتْ: رَعَتْ، وَالْعُرْفُط: نَبْتٌ مِنْ نَبْتِ النَّحْلِ.

[ت12/م12] ـ باب في النبيذ إذا غلى

3716 ـ حدّثنا هِشَامُ بنُ عَمَّارٍ، قالَ: حدَّثنا صَدَقَةُ بنُ خَالِدٍ، قالَ: حدَّثنا زَيْدُ بنُ وَاقِدٍ، عن خَالِدِ بنِ عَبْدِ اللَّهِ بنِ حُسَيْنٍ، عن أَبِي هُرَيْرَةَ قالَ: عَلِمْتُ أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَصُومُ، فَتَحَيَّنْتُ فِطْرَهُ بِنَبِيذٍ صَنَعْتُهُ فِي دُبَّاء ثُمَّ أَتَيْتُهُ بِهِ، فَإِذَا هُوَ يَنِشُّ، فقالَ: «**اضْرِبْ بِهَذَا الْحَائِطِ فَإِنَّ هَذَا شَرَابُ مَنْ لاَ يُؤْمِنُ باللَّهِ وَالْيَوْمِ الآخِرِ**».

[ت13/م13] ـ باب في الشرب قائمًا

3717 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ، قالَ: حدَّثنا هِشَامٌ، عنْ قَتَادَةَ، عنْ أَنَسٍ: «أَنَّ النَّبِيَّ ﷺ نَهَى أَنْ يَشْرَبَ الرَّجُلُ قَائِمًا».

3718 ـ حدّثنا مُسَدَّدٌ، قالَ: حدَّثنا يَحْيَى، عنْ مِسْعَرِ بنِ كِدَامٍ، عنْ عَبْدِ المَلِكِ بنِ مَيْسَرَةَ، عن النَّزَّالِ بنِ سَبْرَةَ: «أَنَّ عَلِيًّا دَعَا بِمَاءٍ فَشَرِبَهُ وَهُوَ قَائِمٌ ثُمَّ قالَ: إِنَّ رِجَالاً يَكْرَهُ أَحَدُهُمْ أَنْ يَفْعَلَ هَذَا، وَقَدْ رَأَيْتُ رَسُولَ اللَّهِ ﷺ يَفْعَلُ مِثْلَ مَا رَأَيْتُمُونِي أَفْعَلُهُ».

[ت14/م14] ـ باب الشراب من في السقاء

3719 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قال: حدَّثنا حَمَّادٌ، قالَ: أخبرنا قَتَادَةَ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ عنْ الشُّرْبِ مِنْ فِي السِّقَاءِ، وَعَنْ رُكُوبِ الْجَلاَّلَةِ وَالمُجَثَّمَةِ».

قال أَبُو دَاوُدَ: الْجَلاَّلَةُ الَّتِي تَأْكُلُ الْعَذِرَةَ.

[15] What About Bending The Mouth Of The Water-Skin?

3720- It is narrated on the authority of Abu Sa'id Al-Khudri that the Messenger of Allah "Allah's blessing and peace be upon him" forbade to bend the mouth of a water-skin (for the purpose of drinking direct from it).

3721- It is narrated on the authority of Isa Ibn Abdullah, a man belonging to the Ansar, from his father, that on the day of (the holy battle of) Uhud, the Messenger of Allah "Allah's blessing and peace be upon him" asked for a pot (full of water), and said: "Bend the mouth of the pot (so that I would drink)!" then, he drank direct from its mouth.

[16] Drinking From The Place Of Fracture In The Vessel

3722- It is narrated on the authority of Abu Sa'id Al-Khudri that the Messenger of Allah "Allah's blessing and peace be upon him" forbade to drink from the place of fracture in the vessel, as well as he forbade to blow in the drink.

[17] What About Drinking In The Gold And Silver Utensils?

3723- It is narrated on the authority of Ibn Abu Laila that Hudhaifah was in Mada'in when he asked for water. A villager brought a drink for him in a silver utensil. He (Hudhaifah) threw him with it and said: However, I did not do so but that for I have told him not to serve me drink in this (silver utensil), for The Messenger of Allah "Allah's blessing and peace be upon him" forbade to wear brocade or silk, and to drink in gold and silver utensils, and said: "These are meant for Them (the unbelievers) in this world, but they are meant for you in the Hereafter."

[18] What About Drinking With No Utensil Nor Hand?

3724- It is narrated on the authority of Jabir that he said: Allah's Apostle "Allah's blessing and peace be upon him" and one of his companions entered upon an Ansari man while he was turning the water into his garden. The Prophet "Allah's blessing and peace be upon him" said to him: "If you have water kept overnight in a water-skin, you might give us, otherwise we will drink water by putting our mouths in it."

[19] When Should The Drink Server Drink?

3725- It is narrated on the authority of Abdullah Ibn Abu Awfa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The water server is the last of the people (whom he serves with drink) to drink."

[ت15/م15] ـ باب في اختناث الأَسقية

3720 ـ حدّثنا مُسَدَّدٌ، قَالَ: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ أَنَّهُ سَمِعَ عُبَيْدَ اللَّهِ بنَ عَبْدِ اللَّهِ، عنْ أَبِي سَعِيدِ الْخُدْرِيِّ: «أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عن اخْتِنَاثِ الأَسْقِيَةِ».

3721 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ، قالَ: حدَّثنا عَبْدُ الأَعْلَى، قالَ: حدَّثنا عُبَيْدُ اللَّهِ بنُ عُمَرَ، عنْ عِيسَى بنِ عَبْدِ اللَّهِ رَجُلٍ مِنَ الأَنْصَارِ، عَنْ أَبِيهِ: أَنَّ النَّبِيَّ ﷺ دَعَا بِإِدَاوَةٍ يَوْمَ أُحُدٍ فقالَ: «**اخْنُثْ فَمَ الإِدَاوَةِ**» ثُمَّ شَرِبَ مِنْ فِيهَا.

[ت16/م16] ـ باب في الشرب من ثُلْمَة القدح

3722 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ، قالَ: حدَّثنا عَبْدُ اللَّهِ بنُ وَهْبٍ، قالَ: أخبرنا قُرَّةُ بنُ عَبْدِ الرَّحْمَنِ، عن ابنِ شِهَابٍ، عن عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ بنِ عُتْبَةَ، عنْ أَبِي سَعِيدِ الْخُدْرِيِّ أَنَّهُ قَالَ: «نَهَى رَسُولُ اللَّهِ ﷺ عن الشُّرْبِ مِنْ ثُلْمَةِ الْقَدَحِ وَأَنْ يُنْفَخَ فِي الشَّرَابِ».

[ت17/م17] ـ باب في الشرب في آنية الذهب والفضة

3723 ـ حدّثنا حَفْصُ بنُ عُمَرَ، قالَ: حدَّثنا شُعْبَةُ، عنِ الْحَكَمِ، عن ابنِ أَبِي لَيْلَى قالَ: كَانَ حُذَيْفَةُ بِالْمَدَائِنِ فاسْتَسْقَى فَأَتَاهُ دِهْقَانٌ بِإِنَاءٍ مِنْ فِضَّةٍ فَرَمَاهُ بِهِ وَقَالَ: إِنِّي لَمْ أَرْمِهِ بِهِ إِلاَّ أَنِّي قَدْ نَهَيْتُهُ فَلَمْ يَنْتَهِ وَإِنَّ رَسُولَ اللَّهِ ﷺ نَهَى عنِ الْحَرِيرِ وَالدِّيبَاجِ وَعَنِ الشُّرْبِ فِي آنِيَةِ الذَّهَبِ وَالْفِضَّةِ وَقَالَ: «**هِيَ لَهُمْ فِي الدُّنْيَا وَلَكُمْ فِي الآخِرَةِ**».

[ت18/م18] ـ باب في الكَرع

3724 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، قالَ: حدَّثنا يُونُسُ بنُ مُحَمَّدٍ، قالَ: حدَّثَنِي فُلَيْحٌ، عَنْ سَعِيدِ بنِ الْحَارِثِ، عنْ جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: «دَخَلَ النَّبِيُّ ﷺ وَرَجُلٌ مِنْ أَصْحَابِهِ عَلَى رَجُلٍ مِنَ الأَنْصَارِ وَهُوَ يُحَوِّلُ المَاءَ فِي حَائِطِهِ فَقَالَ رَسُولُ اللَّهِ ﷺ: «**إِنْ كَانَ عِنْدَكَ مَاءٌ بَاتَ هَذِهِ اللَّيْلَةَ فِي شَنٍّ وَإِلاَّ كَرَعْنَا؟**» قالَ: بَلْ عِنْدِي مَاءٌ بَاتَ فِي شَنٍّ».

[ت19/م19] ـ باب في الساقي متى يشرب؟

3725 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ، قالَ: أخبرنا شُعْبَةُ، عنْ أَبِي المُخْتَارِ، عَنْ عَبْدِ اللَّهِ بنِ أَبي أَوْفَى أَنَّ النَّبِيَّ ﷺ قَالَ: «**سَاقِي الْقَوْمِ آخِرُهُمْ شُرْبًا**».

3726- It is narrated on the authority of Anas Ibn Malik that once, (a cup full of) milked mixed with water was brought to the Messenger of Allah "Allah's blessing and peace be upon him", and there was a desert dweller sitting on his right side, and Abu Bakr on his left side. He drank and then gave the surplus to the desert dweller and said: "Let such as on the right side (be given first) followed by such as on his right side!"

3727- It is narrated on the authority of Anas Ibn Malik that he said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" drank, he would take three breaths (removing the utensil from his mouth with each breath), and he said: "This is more fitting for quenching the thirst, improving the process of digestion, and curing from diseases."

[20] What About Blowing And Breathing In The Drink?

3728- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade blowing or taking breath in the utensil (while drinking).

3729- It is narrated on the authority of Abdullah Ibn Busr from his father: The Messenger of Allah "Allah's blessing and peace be upon him" came to my father and a meal containing food made from dates, cheese and butter was brought to him, from which he ate. Then a drink was brought to him, which he drank, and then gave to one who was on his right. Then, he was given dates which he ate but he placed the stones on the back of his index and middle fingers. When he stood up (and intended to leave) my father took hold of his mount's rein and said to him: "Invoke good for me!" He said: "O Allah! Bless them in whatever sustenance You have provided them with, forgive them, and bestow mercy upon them."

[21] What One Says Once He Drinks Milk

3730- It is narrated on the authority of Ibn Abbas that he said: I was in the house of (my maternal aunt) Maimunah when the Messenger of Allah "Allah's blessing and peace be upon him" came in, in the company of Khalid Ibn Al-Walid. Then, two mastigures were brought on two sticks, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" spat (out of disgust). On that Khalid said: "I think you detest it O Messenger of Allah!" he answered in the affirmative. Then, milk was brought to the Messenger of Allah "Allah's blessing and peace be upon him" which he drank. Then, the Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you eats food, let him say: "O Allah! Bless us in it, and sustain us with what is much better than it"; and when he was given milk to drink, let him say: "O Allah! Bless us in it, and

3726 ـ حدّثنا الْقَعْنَبِيُّ عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عَنْ مَالِكٍ، عن ابنِ شِهَابٍ، عَنْ أَنسِ بنِ مَالِكٍ: أَنَّ النَّبِيَّ ﷺ أُتِيَ بِلَبَنٍ قَدْ شِيبَ بِمَاءٍ، وَعَنْ يَمِينِهِ أَعْرَابِيٌّ، وَعَنْ يَسَارِهِ أَبُو بَكْرٍ، فَشَرِبَ ثُمَّ أَعْطَى الأَعْرَابِيَّ وَقَالَ: «**الأَيْمَنُ فَالأَيْمَنُ**».

3727 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا هِشَامٌ، عَنْ أَبِي عِصَام، عن أَنسِ بنِ مَالِكٍ: أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا شَرِبَ تَنَفَّسَ ثَلاَثًا، وَقَالَ: «**هُوَ أَهْنَأُ وَأَمْرَأُ وَأَبْرَأُ**».

[ت20/م20] ـ باب في النفخ في الشراب والتنفس فيه

3728 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ، قَالَ: حَدَّثَنَا ابنُ عُيَيْنَةَ، عَنْ عَبْدِ الْكَرِيمِ، عنْ عِكْرِمَةَ، عَنْ ابنِ عَبَّاسٍ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ أَنْ يُتَنَفَّسَ فِي الإِنَاءِ أَوْ يُنْفَخَ فِيهِ».

3729 ـ حدّثنا حَفْصُ بنُ عُمَرَ، قالَ: حدَّثنا شُعْبَةُ، عَنْ يَزِيدَ بنِ خُمَيْرٍ، عَنْ عَبْدِ اللَّهِ بنِ بُسْرٍ مِنْ بَنِي سُلَيْمٍ قَالَ: جَاءَ رَسُولُ اللَّهِ ﷺ إِلَى أَبِي فَنَزَلَ عَلَيْهِ فَقَدَّمَ إِلَيْهِ طَعَامًا فَذَكَرَ حَيْسًا أَتَاهُ بِهِ ثُمَّ بِشَرَابٍ فَشَرِبَ فَنَاوَلَ مَنْ عَلَى يَمِينِهِ وَأَكَلَ تَمْرًا فَجَعَلَ يُلْقِي النَّوَى عَلَى ظَهْرِ أَصْبُعِهِ السَّبَّابَةِ وَالْوُسْطَى، فَلَمَّا قَامَ قَامَ أَبِي فَأَخَذَ بِلِجَامِ دَابَّتِهِ، فَقَالَ ادْعُ اللَّه لِي، فَقَالَ: «**اللَّهُمَّ بَارِكْ لَهُمْ فِيمَا رَزَقْتَهُمْ، وَاغْفِرْ لَهُمْ وَارْحَمْهُمْ**».

[ت21/م21] ـ باب ما يقول إذا شرب اللبنِ

3730 ـ حدّثنا مُسَدَّدٌ، قال: حدَّثنا حَمَّادٌ ـ يَعْنِي ابنَ زَيْدٍ ـ. (ح)، وَحَدَّثَنَا مُوسَى بنُ إِسْمَاعِيلَ، قالَ: أخبرنا حَمَّادٌ ـ يَعْنِي ابنَ سَلَمَةَ ـ، عَنْ عَلِيِّ بنِ زَيْدٍ، عن عُمَرَ بنِ حَرْمَلَةَ، عنِ ابنِ عَبَّاسٍ قالَ: كُنْتُ فِي بَيْتِ مَيْمُونَةَ، فَدَخَلَ رَسُولُ اللَّهِ ﷺ وَمَعَهُ خَالِدُ بنُ الْوَلِيدِ فَجَاؤُوا بِضَبَّيْنِ مَشْوِيَّيْنِ عَلَى ثُمَامَتَيْنِ فَتَبَزَّقَ رَسُولُ اللَّهِ ﷺ، فَقَالَ خَالِدٌ: إِخَالُكَ تَقْذَرُهُ يَا رَسُولَ اللَّهِ؟ فَقَالَ: «**أَجَلْ**»، ثُمَّ أُتِيَ رَسُولُ اللَّهِ ﷺ بِلَبَنٍ فَشَرِبَ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا أَكَلَ أَحَدُكُمْ طَعَامًا فَلْيَقُلْ: اللَّهُمَّ بَارِكْ لَنَا**

give us an increase of it", for indeed, there is nothing barring milk more sufficient for food and drink."

[22] Tying The Utensil With A Strip

3731- It is narrated on the authority of Jabir that he said: The Prophet "Allah's blessing and peace be upon him" said: "(When night falls or when it is evening) close the gate of your house (at night), and mention Allah's Name thereupon; for Satan could not open a closed gate. Extinguish your lamp and mention Allah's Name. Cover your utensil (But if you have nothing to cover it let it be by placing) even a stick across it., and mention Allah's Name thereupon. Tie the mouth of your water-skin and mention Allah's name thereupon."

3732- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said the same, but the narration here is brief, in which he said: "No doubt, Satan has no power to open a closed door, nor unloose a tying strap, nor uncover a utensil; and the mischief-doer (i.e. the rat) might cause the house to be burnt with its dwellers (in case the lamp is left kindled)."

3733- It is narrated on the authority of Jabir Ibn Abdullah that he said, tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him": "When night falls (or when it is evening), keep your children close you (and stop them from going out), for the devils spread out and do harm stealthily at that time."

3734- It is narrated on the authority of Jabir Ibn Abdullah that he said: We were with the Messenger of Allah "Allah's blessing and peace be upon him" when he asked for water, thereupon a man from amongst the people said: "Should we not bring you juice of soaked fruits to drink?" he said: "Yes." The man came out rushing and he soon returned with a vessel of juice of soaked fruits, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Why should you not cover it even by placing a stick across it?"

3735- It is narrated on the authority of A'ishah that it was the habit to bring the fresh sweet water for the Messenger of Allah "Allah's blessing and peace be upon him" from the house of Suqya, a well of water as far from Medina as (a distance covered in) two days.

فِيهِ وَأَطْعِمْنَا خَيْرًا مِنْهُ، وَإِذَا سُقِيَ لَبَنًا فَلْيَقُل: اللَّهمَّ بَارِكْ لَنا فِيهِ وَزِدْنَا مِنْهُ، فَإِنَّهُ لَيْسَ شَيْءٌ يُجْزِىءُ مِنَ الطَّعَامِ وَالشَّرَابِ إِلاَّ اللَّبَنُ».

قال أَبُو دَاوُدَ: هَذَا لَفْظُ مُسَدَّدٍ.

[ت22/م22] ـ باب في إيكاء الآنية

3731 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ، قالَ: حدَّثنا يَحْيَى، عن ابنِ جُرَيْجٍ، قالَ: أخبرني عَطَاءٌ، عَنْ جَابِرٍ، عَنِ النَّبِيِّ ﷺ قَالَ: «**أَغْلِقْ بَابَكَ وَاذْكُرِ اسْمَ اللَّهِ فَإِنَّ الشَّيْطَانَ لاَ يَفْتَحُ بابًا مُغْلَقًا، وَأَطْفِئ مِصْبَاحَكَ وَاذْكُرِ اسْمَ اللَّهِ، وَخَمِّرْ إِنَاءَكَ وَلَوْ بِعُودٍ تَعْرِضُهُ عَلَيْهِ وَاذْكُرِ اسْمَ اللَّهِ، وَأَوْكِ سِقَاءَكَ وَاذْكُرِ اسْمَ اللَّهِ**».

3732 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ الْقَعْنَبِيُّ، عَنْ مَالِكٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بنِ عَبْدِ اللَّهِ، عَنِ النَّبِيِّ ﷺ بِهَذَا الْخَبَرِ، وَلَيْسَ بِتَمَامِهِ قَالَ: «**فَإِنَّ الشَّيْطَانَ لاَ يَفْتَحُ بَابًا غَلَقًا، وَلاَ يَحُلُّ وِكَاءً، وَلاَ يَكْشِفُ إِنَاءً، وَإِنَّ الْفُوَيْسِقَةَ تُضْرِمُ عَلَى النَّاسِ بَيْتَهُمْ أَوْ بُيُوتَهُمْ**».

3733 ـ حدّثنا مُسَدَّدٌ وَفُضَيْلُ بنُ عَبْدِ الْوَهَّابِ السُّكَّرِيُّ قالاَ: أخبرنا حَمَّادٌ، عَنْ كَثِيرِ بنِ شِنْظِيرٍ، عَنْ عَطَاءٍ، عَنْ جَابِرِ بنِ عَبْدِ اللَّهِ رَفَعَهُ قالَ: «**وَاكْتِفُوا صِبْيَانَكُم عِنْدَ الْعِشَاءِ**»، وَقالَ مُسَدَّدٌ: «**عِنْدَ الْمَسَاءِ فَإِنَّ لِلْجِنِّ انْتِشَارًا وَخَطْفَةً**».

3734 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، قالَ: حدَّثنا أَبُو مُعَاوِيَةَ، قالَ: حدَّثنا الأَعْمَشُ، عَنْ أَبِي صَالِحٍ، عنْ جَابِرٍ قالَ: كُنَّا مَعَ النَّبِيِّ ﷺ فَاسْتَسْقَى فَقَالَ رَجُلٌ مِنَ الْقَوْمِ: أَلاَ نَسْقِيكَ نَبِيذًا؟ قالَ: «**بَلَى**» قالَ: فَخَرَجَ الرَّجُلُ يَشْتَدُّ فَجَاءَ بِقَدَحٍ فِيهِ نَبِيذٌ، فقالَ رَسُولُ اللَّهِ ﷺ: «**أَلاَ خَمَّرْتَهُ، وَلَوْ أَنْ تَعْرُضَ عَلَيْهِ عُودًا**؟».

قال أَبُو دَاوُدَ: قالَ الأَصْمَعِيُّ: «**تَعْرُضَهُ عَلَيْهِ**».

3735 ـ حدّثنا سَعِيدُ بنُ مَنْصُورٍ، وَعَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ، وَقُتَيْبَةُ بنُ سَعِيدٍ قالُوا: حدَّثنا عَبْدُ الْعَزِيزِ ـ يَعْنِي ابنَ مُحَمَّدٍ ـ عنْ هِشَامٍ، عنْ أَبِيهِ، عَنْ عَائِشَةَ رضي اللَّهُ عنها: «أَنَّ النَّبِيَّ ﷺ كَانَ يُسْتَعْذَبُ لَهُ الْمَاءُ مِنْ بُيُوتِ السُّقْيَا» قالَ قُتَيْبَةُ: هِيَ عَيْنٌ بَيْنَهَا وَبَيْنَ الْمَدِينَةِ يَوْمَانِ.

(21/26) THE BOOK OF FOOD

[1] Answering The Invitation (To A Banquet)

3736- It is narrated on the authority of Abdullah Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone of you is invited to a banquet, let him (answer the invitation and) come to take part in it."

3737- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said the same, in which he added: "If he is not fasting, let him eat; and if he is fasting, let him leave (food)."

3738- It is narrated on the authority of Abdullah Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone of you invites his brother to a banquet, let him (the invited) answer the invitation, whether it is or is not a wedding banquet."

3739- The same is narrated on the authority of Nafi' through the same chain of transmission.

3740- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Whoever is invited to a banquet, let him answer the invitation, and share food if he so likes, or leave it if he so likes."

3741- It is narrated on the authority of Abdullah Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who is invited and does not answer the invitation has, indeed, disobeyed Allah and His Messenger; and he, who enters (upon a people) to share food (with them) without no invitation is (in sin like) such as comes in as a thief, and comes out as a robber."

3742- It is narrated on the authority of Abu Hurairah that he used to say: "The worst of food is that of a banquet, to which only the rich and wealthy are invited, and the needy and indigent are left; and whoever does not answer the invitation has, indeed, disobeyed Allah and His Messenger."

[2] It Is Desirable To Offer A Wedding Banquet

3743- It is narrated on the authority of Thabit that he said: The marriage of Zainab Bint Jahsh was mentioned in front of Anas Ibn Malik who said: "I've never seen the Messenger of Allah "Allah's blessing and peace be upon him" having offered a wedding banquet on (the occasion of his

[21/ 26] ـ كتاب الأَطعمة

[ت1/م1] ـ باب ما جاء في إجابة الدعوة

3736 ـ حدّثنا الْقَعْنَبِيُّ، عَنْ مَالِكٍ، عنْ نَافِعٍ، عنْ عَبْدِ اللَّهِ بنِ عُمَرَ أَنَّ النَّبِيَّ ﷺ قال: «**إِذَا دُعِيَ أَحَدُكُمْ إِلَى الْوَلِيمَةِ فَلْيَأْتِهَا**».

3737 ـ حدّثنا مَخْلَدُ بنُ خَالِدٍ، قالَ: حدَّثنا أَبُو أُسَامَةَ، عنْ عُبَيْدِ اللَّهِ، عنْ نَافِعٍ، عنْ ابنِ عُمَرَ قالَ قالَ رَسُولُ اللَّهِ ﷺ: بِمَعْنَاهُ. زَادَ: «**فَإِنْ كَانَ مُفْطِرًا فَلْيَطْعَمْ وَإِنْ كَانَ صَائِمًا فَلْيَدَعْ**».

3738 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ، قالَ: حدَّثنا عَبْدُ الرَّزَّاقِ، قال: حدَّثنا مَعْمَرٌ، عنْ أَيُّوبَ، عنْ نَافِعٍ، عن ابنِ عُمَرَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا دَعَا أَحَدُكُمْ أَخَاهُ فَلْيُجِبْ عُرْسًا كَانَ أَوْ نَحْوَهُ**».

3739 ـ حدّثنا ابنُ الْمُصَفَّى، قال: حدَّثنا بَقِيَّةُ، قال: حدَّثنا الزُّبَيْدِيُّ، عن نَافِعٍ بِإِسْنَادِ أَيُّوبَ وَمَعْنَاهُ.

3740 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ، قالَ: أخبرنا سُفْيَانُ، عنْ أَبِي الزُّبَيْرِ، عن جَابِرٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ دُعِيَ فَلْيُجِبْ، فَإِنْ شَاءَ طَعِمَ، وَإِنْ شَاءَ تَرَكَ**».

3741 ـ حدّثنا مُسَدَّدٌ، قال: حدَّثنا دُرُسْتُ بنُ زِيَادٍ، عن أَبَانَ بنِ طَارِقٍ، عن طَارِقٍ، عن نَافِعٍ قال: قالَ عَبْدُ اللَّهِ بنُ عُمَرَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ دُعِيَ فَلَمْ يُجِبْ فَقَدْ عَصَى اللَّهَ وَرَسُولَهُ، وَمَنْ دَخَلَ عَلَى غَيْرِ دَعْوَةٍ دَخَلَ سَارِقًا وَخَرَجَ مُغِيرًا**».

قال أَبُو دَاوُدَ: أَبَانُ بنُ طارِقٍ مَجْهُولٌ.

3742 ـ حدّثنا الْقَعْنَبِيُّ، عَنْ مَالِكٍ، عن ابنِ شِهَابٍ، عن الأَعْرَجِ، عن أَبِي هُرَيْرَةَ أَنَّهُ كَانَ يَقُولُ: «شَرُّ الطَّعَامِ طَعَامُ الْوَلِيمَةِ يُدْعَى لَهَا الأَغْنِيَاءُ وَيُتْرَكُ الْمَسَاكِينُ، وَمَنْ لَمْ يَأْتِ الدَّعْوَةَ فَقَدْ عَصَى اللَّهَ وَرَسُولَهُ».

[ت2/م2] ـ باب في استحباب الوليمة عند النكاح

3743 ـ حدّثنا مُسَدَّدٌ وَقُتَيْبَةُ بنُ سَعِيدٍ قالاَ: حدَّثنا حَمَّادٌ، عن ثَابِتٍ قال: ذُكِرَ تَزْوِيجُ زَيْنَبَ بِنْتِ جَحْشٍ عِنْدَ أَنَسِ بنِ مَالِكٍ فَقَالَ: «مَا رَأَيْتُ رَسُولَ اللَّهِ ﷺ أَوْلَمَ

marriage to) anyone of his wives as he had offered on (the occasion of his marriage to) Zainab: he offered a wedding banquet with the help of a sheep.

3744- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" offered a banquet of Sawiq and dates on (the occasion of his marriage to) Safiyyah.

[3] How Long Is It Desirable For A Banquet To Last?

3745- It is narrated on the authority of Abdullah Ibn Uthman Ath-Thaqafi from a man who was blind in one eye belonging to the Ansar, called Zuhair Ibn Uthman, and he was mentioned with good among the people, that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The banquet on the first day is a right; and on the second day a favour; but it is out of viewing fame and showing off on the third day."

Qatadah says: A man told me that Sa'id Ibn Al-Musayyab was invited to a banquet on the first day, and he answered the invitation; and he was invited to the banquet on the second day, and he answered the invitation; and when he was invited to the banquet on the third day, he gave no answer and said: "Those are a people of viewing reputation and showing off."

3746- The same story is narrated on the authority of Sa'id Ibn Al-Musayyab, who was invited to the same banquet on the third day, and he refused to answer the invitation, and he further threw the courier with pebbles.

[4] Serving Food On The Arrival From Journey

3747- It is narrated on the authority of Jabir that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" arrived in Medina, he slaughtered a camel or a cow.

[5] What About Hospitality?

3748- It is narrated on the authority of Abu Shuraih Al-Ka'bi that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has faith in Allah and the Last Day, should deal generously with his guest; and his entertainment is a night-and-a-day stay. Hospitality is no more than three days; and what is spent on him after three days is (an item of) charity. It is unlawful for him (the guest) to stay in the house of his companion until he puts him to difficulty."

3749- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Hospitality is no

عَلَى أَحَدٍ مِنْ نِسَائِهِ مَا أَوْلَمَ عَلَيْهَا أَوْلَمَ بِشَاةٍ».

3744 ـ حدّثنا حَامِدُ بنُ يَحيَى، قال: حدَّثنا سُفْيَانُ، قال: حدَّثنا وَائِلُ بنُ دَاوُدَ، عن ابنِهِ بَكْرِ بنِ وَائِلٍ، عن الزُّهْرِيِّ، عن أَنسِ بنِ مَالِكٍ: «أَنَّ النَّبِيَّ ﷺ أَوْلَمَ عَلَى صَفِيَّةَ بِسَوِيقٍ وَتَمْرٍ».

[ت3/م3] ـ باب في كم تُسْتَحب الوليمة؟

3745 ـ حدّثنا مُحَمَّدُ بنُ المُثَنَّى، قال: حدَّثنا عَفَّانُ بنُ مُسْلِمٍ قالَ: حدَّثنا هَمَّامٌ قال: حدَّثنا قَتَادَةُ، عن الْحَسَنِ، عن عَبْدِ اللَّهِ بنِ عُثْمَانَ الثَّقَفِيِّ، عن رَجُلٍ أَعْوَرَ مِنْ ثَقِيفٍ كَانَ يُقَالُ لَهُ مَعْرُوفًا، أَيْ يُثْنَى عَلَيْهِ خَيْرًا؛ إِنْ لَمْ يَكُنِ اسْمُهُ زُهَيْرُ بنُ عُثْمَانَ فَلاَ أَدْرِي مَا اسْمُهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «**الْوَلِيمَةُ أَوَّلُ يَوْمٍ حَقٌّ، وَالثَّانِي مَعْرُوفٌ، وَالْيَوْمُ الثَّالِثُ سُمْعَةٌ وَرِيَاءٌ**».

قالَ قَتَادَةُ: وَحَدَّثَنِي رَجُلٌ أَنَّ سَعِيدَ بنَ المُسَيَّبِ دُعِيَ أَوَّلَ يَوْمٍ فَأَجَابَ وَدُعِيَ الْيَوْمَ الثَّانِي فَأَجَابَ، وَدُعِيَ الْيَوْمَ الثَّالِثَ فَلَمْ يُجِبْ وَقَالَ: أَهْلُ سُمْعَةٍ وَرِيَاءٍ.

3746 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ، قال: حدَّثنا هِشَامٌ، عن قَتَادَةَ، عن سَعِيدِ بنِ المُسَيَّبِ بِهَذِهِ الْقِصَّةِ قال: «فَدُعِيَ الْيَوْمَ الثَّالِثَ فَلَمْ يُجِبْ، وَحَصَبَ الرَّسُولَ».

[ت4/م4] ـ باب الإطعام عند القدوم من السفر

3747 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، قال: حدَّثنا وَكِيعٌ، عن شُعْبَةَ، عن مُحَارِبِ بنِ دِثَارٍ، عن جَابِرٍ قالَ: «لَمَّا قَدِمَ النَّبِيُّ ﷺ المَدِينَةَ نَحَرَ جَزورًا أَوْ بَقَرَةً».

[ت5/م5] ـ باب ما جاء في الضيافة

3748 ـ حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن سَعِيدٍ المَقْبُرِيِّ، عن أَبِي شُرَيْحٍ الْكَعْبِيِّ أَنَّ رَسُولَ اللَّهِ ﷺ قال: «**مَنْ كَانَ يُؤْمِنُ باللَّهِ وَالْيَوْمِ الآخِرِ فَلْيُكْرِمْ ضَيْفَهُ جَائِزَتُهُ يَوْمُهُ وَلَيْلَتُهُ، الضِّيَافَةُ ثَلاَثَةُ أَيَّامٍ وَمَا بَعْدَ ذَلِكَ فَهُوَ صَدَقَةٌ، وَلاَ يَحِلُّ لَهُ أَنْ يَثْوِيَ عِنْدَهُ حَتَّى يُحْرِجَهُ**».

قال أَبُو دَاوُدَ: قُرِىءَ عَلَى الْحَارِثِ بنِ مِسْكِينٍ وَأَنَا شَاهِدٌ أَخْبَرَكُمْ أَشْهَبُ قالَ: «وَسُئِلَ مَالِكٌ عن قَوْلِ النَّبِيِّ ﷺ: «**جَائِزَتُهُ يَوْمٌ وَلَيْلَةٌ**»، قال: يُكْرِمُهُ وَيُتْحِفُهُ وَيَحْفَظُهُ يَوْمًا وَلَيْلَةً وَثَلاَثَةُ أَيَّامٍ ضِيَافَةٌ».

3749 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ وَمُحَمَّدُ بنُ مَحْبُوبٍ قالاَ: حدَّثنا حَمَّادٌ، عن عَاصِمٍ، عن أَبِي صَالِحٍ، عن أَبِي هُرَيْرَةَ أَنَّ النَّبِيَّ ﷺ قالَ: «**الضِّيَافَةُ ثَلاَثَةُ**

more than three days; and what is spent on him (the guest) after three days is (an item of) charity."

3750- It is narrated on the authority of Al-Miqdam: Abu Karimah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The hospitality on the (first) night is binding (upon the host); and if morning comes upon him (the guest) while being in his (the host's) house, the right of hospitality becomes (an item of) debt upon him (the host): and it is up to him (the guest) to take or leave it."

3751- It is narrated on the authority of Al-Miqdam: Abu Karimah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If a man has a guest, upon whom morning comes while being deprived (of the right of hospitality), helping him take a night-and-a-day spending from his (the host's) plants and property becomes binding upon every Muslim."

3752- It is narrated on the authority of Uqbah Ibn Amir that he said: We said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! You send us (as your envoys) and we descend in the land of a people who might not offer hospitality to us: what do you see?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "If you descend in the land of a people, and they serve you with what a guest should be served, accept that from them; and if they do not do so, take from them the right of hospitality as it should be."

[6] The Abrogation Of The Commandment That A Guest Should Not Eat Out Of The Property Of His Host

3753- It is narrated on the authority of Ibn Abbas that he said: when Allah revealed: "O you who believe! eat not up your property among yourselves in vanities" (An-Nisa 29), anyone of men felt it critical to eat in the house of another just after this Holy Verse was revealed. This commandment was abrogated by the statement of the Surah of An-Nur in which Allah Almighty says: "There is no blame on you to eat in your own houses, or those of your fathers, or your mothers, or your brothers, or your sisters, or your paternal uncles, or your paternal aunts, or your maternal uncles, or your maternal aunts, or in houses of which the keys are in your possession, or in the house of a sincere friend of yours: there is no blame on you, whether you eat in company or separately." (61) a man of wealth might invite anyone of his kith and kin to food thereupon the invited one would say: "I find it sinful to eat of it, since the indigent and needy one has more right than me to get it." But, it was made lawful for them to eat of

أَيَّامٍ فَمَا سِوَى ذَلِكَ فَهُوَ صَدَقَةٌ».

3750 ـ حدّثنا مُسَدَّدٌ وَخَلَفُ بنُ هِشَامٍ قالاَ: حدَّثنا أَبُو عَوَانَةَ، عَنْ مَنْصُورٍ، عن عَامِرٍ، عن أَبِي كَرِيمَةَ قال: قالَ رَسُولُ اللَّهِ ﷺ: «**لَيْلَةُ الضَّيْفِ حَقٌّ عَلَى كُلِّ مُسْلِمٍ، فَمَنْ أَصْبَحَ بِفِنَائِهِ فَهُوَ عَلَيْهِ دَيْنٌ، إِنْ شَاءَ اقْتَضَى، وَإِنْ شَاءَ تَرَكَ**».

3751 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن شُعْبَةَ، حَدَّثَنِي أَبُو الْجُودِيِّ، عن سَعِيدِ بنِ أَبِي الْمُهَاجِرِ، عن الْمِقْدَامِ أَبِي كَرِيمَةَ رَضِيَ اللَّه عَنْهُ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**أَيُّمَا رَجُلٍ أَضَافَ قَوْمًا فَأَصْبَحَ الضَّيْفُ مَحْرُومًا فَإِنَّ نَصْرَهُ حَقٌّ عَلَى كُلِّ مُسْلِمٍ حَتَّى يَأْخُذَ بِقِرَى لَيْلَةٍ مِنْ زَرْعِهِ وَمَالِهِ**».

3752 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ، قالَ: حدَّثنا اللَّيْثُ، عن يَزِيدَ بنِ أَبِي حَبِيبٍ، عن أَبِي الْخَيْرِ، عن عُقْبَةَ بنِ عَامِرٍ أَنَّهُ قَالَ: قُلْنَا: يَا رَسُولَ اللَّهِ إِنَّكَ تَبْعَثُنَا فَنَنْزِلُ بِقَوْمٍ فَمَا يَقْرُونَنَا، فَمَا تَرَى؟ فَقَالَ لَنَا رَسُولُ اللَّهِ ﷺ: «**إِنْ نَزَلْتُمْ بِقَوْمٍ فَأَمَرُوا لَكُمْ بِمَا يَنْبَغِي لِلضَّيْفِ فَاقْبَلُوا فَإِنْ لَمْ يَفْعَلُوا فَخُذُوا مِنْهُمْ حَقَّ الضَّيْفِ الَّذِي يَنْبَغِي لَهُمْ**».

قال أَبُو دَاوُدَ: وَهَذِهِ حُجَّةٌ لِلرَّجُلِ يَأْخُذُ الشَّيْءَ إِذَا كَانَ لَهُ حَقًّا.

[ت6/م6] ـ باب نسخ الضيف يأكل من مال غيره

3753 ـ حدّثنا أَحْمَدُ بنُ مُحَمَّدٍ المروَزِيُّ، قال: حَدَّثَنِي عَلِيُّ بنُ حُسَيْنِ بنِ وَاقِدٍ، عن أَبِيهِ، عن يَزِيدَ النَّحْوِيِّ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ قال: ﴿لَا تَأْكُلُوٓاْ أَمْوَٰلَكُم بَيْنَكُم بِٱلْبَٰطِلِ إِلَّآ أَن تَكُونَ تِجَٰرَةً عَن تَرَاضٍ مِّنكُمْ﴾ [النساء: 29] فَكَانَ الرَّجُلُ يُحْرَجُ أَنْ يَأْكُلَ عِنْدَ أَحَدٍ مِنَ النَّاسِ بَعْدَمَا نَزَلَتْ هَذِهِ الآيَةُ، فَنَسَخَ ذَلِكَ الآيَةُ الَّتِي فِي النُّورِ، فَقَالَ: ﴿وَلَا عَلَى ٱلْمَرِيضِ حَرَجٌ وَلَا عَلَىٰٓ أَنفُسِكُمْ أَن تَأْكُلُواْ مِنۢ بُيُوتِكُمْ﴾ ـ إِلَى قَوْلِهِ ـ ﴿أَشْتَاتًا﴾ [النور: 61] كَانَ الرَّجُلُ ـ يَعْنِي الْغَنِيَّ ـ يَدْعُو الرَّجُلَ مِنْ أَهْلِهِ إِلَى الطَّعَامِ، قال: إِنِّي لأَجَّنَحُ أَنْ آكُلَ مِنْهُ ـ وَالتَّجَنُّحُ الْحَرَجُ ـ وَيَقُولُ: الْمِسْكِينُ أَحَقُّ بِهِ مِنِّي فَأُحِلَّ فِي ذَلِكَ أَنْ يَأْكُلُوا

everything on which Allah's Name was mentioned,. Therefore, the food of the people of Scripture was made lawful for them to eat.

[7] What About The Food Of Such As Compete One Another (In Making And Inviting People To Banquets By Way Of Showing Off)

3754- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade eating the food offered by such as compete each other (in making and inviting people to banquets by way of showing off).

[8] When One Answers The Invitation And Sees What He Dislikes

3755- It is narrated on the authority of Safinah: Abu Abd Ar-Rahman that a man treated Ali Ibn Abu Talib as his guest, and prepared food for him (and sent it to Ali's house), and Fatimah said: "Would that we invite the Messenger of Allah "Allah's blessing and peace be upon him", so that he would share food with us." They invited him, and he came, and placed his hand on the two posts of the door, and saw a decorated curtain having been spread in one side of the house, thereupon he returned. Fatimah said to Ali: "See why he has returned." Ali said: I followed him and said: "O Messenger of Allah! What has caused you to return?" he said: "It is not befitting for me or for a Prophet to enter a decorated house."

[9] When Two Invite The Same Person: Who Of Them Has More Right (To Have His Invitation Responded To)?

3756- It is narrated on the authority of Humaid Ibn Abd Ar-Rahman Al-Himyari from one of the companions of the Messenger of Allah "Allah's blessing and peace be upon him" that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If two invite you (at the same time), answer the invitation of such as has the gate of his (house) nearer to you, for such as has the gate of his (house) nearer to you is closer to you in neighbourhood; and whoever of both has his invitation come first to you, then, answer the invitation which comes first to you."

[10] When The Time Of Prayer Is Due, And The Supper Is Served

3757- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If the supper of anyone of you is served, and then the prayer is established, let not him stand (to the prayer and leave food) until he finishes from his food." However, whenever the supper of Abdullah was served, he would not stand (and leave food) until he finished from it, even though he heard the prayer establishment and the recitation of the imam.

مِمَّا ذُكِرَ اسْمُ اللَّهِ عَلَيْهِ، وَأُحِلَّ طَعَامُ أَهْلِ الْكِتَابِ.

[ت7/م7] ـ باب في طعام المتبارِيَيْنِ

3754 ـ حدّثنا هَارُونُ بنُ زَيْدِ بنِ أَبِي الزَّرْقَاءِ، قال: حدَّثنا أَبِي، قال: حدَّثنا جَرِيرُ بنُ حَازِمٍ، عن الزُّبَيْرِ بنِ خِرِّيتٍ قالَ: سَمِعْتُ عِكْرِمَةَ يَقُولُ: كَانَ ابنُ عَبَّاسٍ يَقُولُ: «إِنَّ النَّبِيَّ ﷺ نَهَى عَنْ طَعَامِ الْمُتَبَارِيَيْنِ أَنْ يُؤْكَلَ».

قال أَبُو دَاوُدَ: أَكْثَرُ مَنْ رَوَاهُ عَنْ جَرِيرٍ لاَ يَذْكُرُ فِيهِ ابنَ عَبَّاسٍ. وَهَارُونُ النَّحْوِيُّ ذَكَرَ فِيهِ ابنَ عَبَّاسٍ أَيْضًا. وَحَمَّادُ بنُ زَيْدٍ لَمْ يَذْكُرِ ابنَ عَبَّاسٍ.

[ت8/م8] ـ باب إجابة الدعوة إذا حضرها مكروه

3755 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قالَ: حدَّثنا حَمَّادٌ، عن سَعِيدِ بنِ جُمْهَانَ، عن سَفِينَةَ أَبِي عَبْدِ الرَّحْمَنِ: أَنَّ رَجُلاً أَضَافَ عَلِيَّ بنَ أَبِي طَالِبٍ فَصَنَعَ لَهُ طَعَامًا، فَقَالَتْ فَاطِمَةُ: لَوْ دَعَوْنَا رَسُولَ اللَّهِ ﷺ فَأَكَلَ مَعَنَا، فَدَعَوْهُ فَجَاءَ فَوَضَعَ يَدَهُ عَلَى عِضَادَتَي الْبَابِ فَرَأَى الْقِرَامَ قَدْ ضُرِبَ بِهِ فِي نَاحِيَةِ الْبَيْتِ فَرَجَعَ، فَقَالَتْ فَاطِمَةُ لِعَلِيٍّ: الْحَقْهُ فَانْظُرْ مَا رَجَعَهُ فَتَبِعْتُهُ فَقُلْتُ: يَا رَسُولَ اللَّهِ مَا رَدَّكَ؟ فَقَالَ: **«إِنَّهُ لَيْسَ لِي أَوْ لِنَبِيٍّ أَنْ يَدْخُلَ بَيْتًا مُزَوَّقًا»**.

[ت9/م9] ـ باب إذا اجتمع داعيان أيهما أحق؟

3756 ـ حدّثنا هَنَّادُ بنُ السَّرِيِّ، عن عَبْدِ السَّلاَمِ بنِ حَرْبٍ، عن أَبِي خَالِدٍ الدَّالاَنِيِّ، عن أَبِي الْعَلاَءِ الأَوْدِيِّ، عن حُمَيْدِ بنِ عَبْدِ الرَّحْمَنِ الْحِمْيَرِيِّ، عن رَجُلٍ مِنْ أَصْحَابِ النَّبِيِّ ﷺ أَنَّ النَّبِيَّ ﷺ قال: **«إِذَا اجْتَمَعَ الدَّاعِيَانِ فَأَجِبْ أَقْرَبَهُمَا بَابًا، فَإِنَّ أَقْرَبَهُمَا بَابًا أَقْرَبُهُمَا جِوَارًا، وَإِنْ سَبَقَ أَحَدُهُمَا فَأَجِبِ الَّذِي سَبَقَ»**.

[ت10/م10] ـ باب إذا حضرت الصلاة والعشاء

3757 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ وَمُسَدَّدٌ ـ الْمَعْنَى ـ قالَ أَحْمَدُ: حَدَّثَنِي يَحْيَى الْقَطَّانُ، عن عُبَيْدِ اللَّهِ، قال: حَدَّثَنِي نَافِعٌ، عن ابنِ عُمَرَ، عن النَّبِيِّ ﷺ قَالَ: **«إِذَا وُضِعَ عَشَاءُ أَحَدِكُمْ وَأُقِيمَتِ الصَّلاَةُ فَلاَ يَقُومُ حَتَّى يَفْرُغَ»**. زَادَ مُسَدَّدٌ: وَكَانَ عَبْدُ اللَّهِ إِذَا وُضِعَ عَشَاؤُهُ أَوْ حَضَرَ عَشَاؤُهُ لَمْ يَقُمْ حَتَّى يَفْرُغَ وَإِنْ سَمِعَ الإِقَامَةَ وَإِنْ سَمِعَ قِرَاءَةَ الإِمَامِ.

3758- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “Let not the prayer be delayed for food or for any other purpose.”

3759- It is narrated on the authority of Abdullah Ibn Ubaid Ibn Umair that he said: I was in the company of my father during the caliphate of Ibn Az-Zubair, sitting by the side of Abdullah Ibn Umar, when Abbad Ibn Abdullah Ibn Az-Zubair said: “We heard that it was the habit to start with (having the food of) supper before offering the prayer (in case the time of the prayer was due and the supper was served).” On that Abdullah Ibn Umar said to him: “Woe to you! What was their (the companions’) supper? Do you think that their supper was like the supper of your father (Ibn Az-Zubair)?” (i.e. their supper was simple and short of the variety of dishes, and even if they started with having it before the prayer, by no means would it lead to delaying the prayer; in contrast with that of Ibn Az-Zubair, in which there were so many kinds of food, and if they started with having it before the prayer, of a surety this would lead to delaying the prayer).

[11] Washing Both Hands On Having Food

3760- It is narrated on the authority of Abdullah Ibn Abbas that once, the Messenger of Allah "Allah's blessing and peace be upon him" came out of the open space (after answering the call of nature), and food was served to him, thereupon they said to him: “Should we not bring (water for you to perform) ablution?” he said: “No: I’ve been commanded to perform ablution just when I (intend to) stand to offer prayer.”

[12] Washing Hands Before Having Food

3761- It is narrated on the authority of Salman Al-Farisi that he said: I read in the Torah (before I embraced Islam) that the blessing of food is caused by performing ablution before having it. I made a mention of that to the Messenger of Allah "Allah's blessing and peace be upon him", thereupon he said: “The blessing of food is caused by performing ablution before it, and performing ablution after it.” Sufyan disliked to perform ablution before having food.

Abu Dawud says that this narration is weak.

[13] The Sudden Food

3762- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came to us from a mountain pass after he had relieved himself, and there were dates

3758 ـ حدّثنا مُحَمَّدُ بنُ حَاتِمِ بنِ بَزِيعٍ، قال: حدَّثنا مُعَلَّى ـ يَعْنِي ابنَ مَنْصُورٍ ـ، عن مُحَمَّدِ بنِ مَيْمُونٍ، عن جَعْفَرِ بنِ مُحَمَّدٍ، عن أَبِيهِ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ تُؤَخَّرُ الصَّلاَةُ لِطَعَامٍ وَلاَ لِغَيْرِهِ**».

3759 ـ حدّثنا عَلِيُّ بنُ مُسْلِمٍ الطُّوسِيُّ، قالَ: حدَّثنا أَبُو بَكْرٍ الْحَنَفِيُّ، قَالَ: أخبرنا الضَّحَّاكُ بنُ عُثْمَانَ، عن عَبْدِ اللَّهِ بنِ عُبَيْدِ بنِ عُمَيْرٍ قالَ: «كُنْتُ مَعَ أَبِي فِي زَمَانِ ابنِ الزُّبَيْرِ إِلَى جَنْبِ عَبْدِ اللَّهِ بنِ عُمَرَ، فَقَالَ عَبَّادُ بنُ عَبْدِ اللَّهِ بنِ الزُّبَيْرِ: إِنَّا سَمِعْنَا أَنَّهُ يُبْدَأُ بِالْعَشَاءِ قَبْلَ الصَّلاَةِ، فَقَالَ عَبْدُ اللَّهِ بنُ عُمَرَ: وَيْحَكَ مَا كَانَ عَشَاؤُهُمْ أَتُرَاهُ مِثْلَ عَشَاءِ أَبِيكَ».

[ت11/م11] ـ باب في غسل اليدين عند الطعام

3760 ـ حدّثنا مُسَدَّدٌ: حدَّثنا إِسْمَاعِيلُ، قال: حدَّثنا أَيُّوبُ، عن عَبْدِ اللَّهِ بنِ أَبِي مُلَيْكَةَ، عن عَبْدِ اللَّهِ بنِ عَبَّاسٍ: أَنَّ رَسُولَ اللَّهِ ﷺ خَرَجَ مِنَ الْخَلاَءِ فَقُدِّمَ إِلَيْهِ طَعَامٌ فَقَالُوا: أَلاَ نَأْتِيكَ بِوَضُوءٍ؟ فَقَالَ: «**إِنَّمَا أُمِرْتُ بِالْوُضُوءِ إِذَا قُمْتُ إِلَى الصَّلاَةِ**».

[ت12/م...] ـ باب في غسل اليد قبل الطعام

3761 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قال: حدَّثنا قَيْسٌ، عن أَبِي هَاشِمٍ، عن زَاذَانَ، عن سَلْمَانَ قال: «قَرَأْتُ فِي التَّوْرَاةِ أَنَّ بَرَكَةَ الطَّعَامِ الْوُضُوءُ قَبْلَهُ، فَذَكَرْتُ ذَلِكَ لِلنَّبِيِّ ﷺ، فقالَ: «**بَرَكَةُ الطَّعَامِ الْوُضُوءُ قَبْلَهُ وَالْوُضُوءُ بَعْدَهُ**»، وَكَانَ سُفْيَانُ يَكْرَهُ الْوُضُوءَ قَبْلَ الطَّعَامِ».

قال أَبُو دَاوُدَ: لَيْسَ هَذَا بِالْقَوِيِّ وَهُوَ ضَعِيفٌ.

[ت13/م12] ـ باب في طعام الفجاءة

3762 ـ حدّثنا أَحْمَدُ بنُ أَبِي مَرْيَمَ، قال: حدَّثنا عَمِّي ـ يَعْنِي سَعِيدَ بنَ الْحَكَمِ ـ قال: حدَّثنا اللَّيْثُ بنُ سَعْدٍ، قال: أخبرني خَالِدُ بنُ يَزِيدَ، عن أَبِي الزُّبَيْرِ، عن جَابِرِ بنِ عَبْدِ اللَّهِ أَنَّهُ قال: «أَقْبَلَ رَسُولُ اللَّهِ ﷺ مِنْ شِعْبٍ مِنَ الْجَبَلِ وَقَدْ قَضَى

on a shield in front of us. We invited him (to share food with us), and he ate without touching water (before eating).

[14] It Is Undesirable To Condemn Food

3763- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" never criticized any kind of food: if he liked it, he would eat it, and if he disliked it, he would leave it.

[15] Gathering On Food

3764- It is narrated on the authority of Wahshi Ibn Harb from his father from his grandfather that the companions of the Messenger of Allah "Allah's blessing and peace be upon him" said to him: “O Messenger of Allah! We eat but we are never satisfied.” The Messenger of Allah "Allah's blessing and peace be upon him" said to them: “Perhaps you eat solely.” They answered in the affirmative, thereupon he said to them: “Gather on your food, and mention Allah’s Name on it, perchance you will be blessed in it.”

Abu Dawud says: If you are in a banquet and the supper is served, do not start eating until the lord of the house gives you permission.

[16] Mentioning Allah’s Name On Food

3765- It is narrated on the authority of Jabir Ibn Abdullah that he said: I heard The Messenger of Allah "Allah's blessing and peace be upon him" having said: “If one enters his house and mentions the name of Allah on entering it and on having food, Satan will say (to his helpers): “You have no place to spend the night and no dinner.” But if he enters without mentioning the name of Allah, the Satan will say: “You have found a place to spend the night.” If he does not mention the name of Allah on having food, he (Satan) will say: “You have found a place to spend the night and a dinner.”

3766- It is narrated on the authority of Hudhaifah that he said: Whenever we attended a meal along with The Messenger of Allah "Allah's blessing and peace be upon him", we would not lay our hands on the food until The Messenger of Allah "Allah's blessing and peace be upon him" had laid his hand and started eating. Once we attended with him a meal when a Bedouin rushed as if he had been prompted (by somebody). When he intended to lay his hand on the food the Messenger of Allah "Allah's blessing and peace be upon him" caught hold of his hand. Then a girl rushed as if she had been prompted (by somebody). She was about to lay her hand on the food when

حَاجَتَهُ وَبَيْنَ أَيْدِينَا تَمْرٌ عَلَى تُرْسٍ أَوْ جَحَفَةٍ، فَدَعَوْنَاهُ فَأَكَلَ مَعَنَا وَمَا مَسَّ مَاءً».

[ت14/م13] ـ باب في كراهية ذمِّ الطعام

3763 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ، قال: حدَّثنا سُفْيَانُ عن الأَعْمَشِ، عن أَبِي حَازِمٍ، عن أَبِي هُرَيْرَةَ قال: «مَا عَابَ رَسُولُ اللَّهِ ﷺ طَعَامًا قَطُّ، إِنِ اشْتَهَاهُ أَكَلَهُ، وَإِنْ كَرِهَهُ تَرَكَهُ».

[ت15/م14] ـ باب في الاجتماع على الطعام

3764 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ، قال: حدَّثنا الْوَلِيدُ بنُ مُسْلِمٍ، قال: حَدَّثَنِي وَحْشِيُّ بنُ حَرْبٍ، عن أَبِيهِ، عَنْ جَدِّهِ: أَنَّ أَصْحَابَ النَّبِيِّ ﷺ قالُوا: يَا رَسُولَ اللَّهِ إِنَّا نَأْكُلُ وَلاَ نَشْبَعُ، قالَ: «**فَلَعَلَّكُمْ تَفْتَرِقُونَ؟**» قَالُوا: نَعَمْ، قَالَ: «**فَاجْتَمِعُوا عَلَى طَعَامِكُمْ وَاذْكُرُوا اسْمَ اللَّهِ عَلَيْهِ يُبَارَكْ لَكُمْ فِيهِ**».

قال أَبُو دَاوُدَ: إِذَا كُنْتَ فِي وَلِيمَةٍ فَوُضِعَ الْعَشَاءُ فَلاَ تَأْكُلْ حَتَّى يَأْذَنَ لَكَ صَاحِبُ الدَّارِ.

[ت16/م15] ـ باب التسمية على الطعام

3765 ـ حدّثنا يَحيَى بنُ خَلَفٍ، قال: حدَّثنا أَبُو عَاصِمٍ، عَنْ ابنِ جُرَيْجٍ، قالَ: أَخبرني أَبُو الزُّبَيْرِ، عن جَابِرِ بنِ عَبْدِ اللَّهِ أَنَّهُ سَمِعَ النَّبِيَّ ﷺ يَقُولُ: «**إِذَا دَخَلَ الرَّجُلُ بَيْتَهُ فَذَكَر اللَّه عِنْدَ دُخُولِهِ وَعِنْدَ طَعَامِهِ قالَ الشَّيْطَانُ: لاَ مَبِيتَ لَكُمْ وَلاَ عَشَاءَ، وَإِذَا دَخَلَ فَلَمْ يَذْكُرِ اللَّه عِنْدَ دُخُولِهِ قَالَ الشَّيْطَانُ: أَدْرَكْتُمُ المَبِيتَ، فَإِذَا لَمْ يَذْكُرِ اللَّه عِنْدَ طَعَامِهِ قَالَ: أَدْرَكْتُمُ المَبِيتَ وَالْعَشَاءَ**».

3766 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، قال: حدَّثنا أَبُو مُعَاوِيَةَ، عن الأَعْمَشِ، عن خَيْثَمَةَ، عن أَبِي حُذَيْفَةَ، عن حُذَيْفَةَ قال: كُنَّا إِذَا حَضَرْنَا مَعَ رَسُولِ اللَّهِ ﷺ طَعَامًا لَمْ يَضَعْ أَحَدُنَا يَدَهُ حَتَّى يَبْدَأَ رَسُولُ اللَّهِ ﷺ وَإِنَّا حَضَرْنَا مَعَهُ طَعَامًا فَجَاءَ أَعْرَابِيٌّ كَأَنَّمَا يُدْفَعُ، فَذَهَبَ لِيَضَعَ يَدَهُ فِي الطَّعَامِ، فَأَخَذَ رَسُولُ اللَّهِ ﷺ بِيَدِهِ، ثُمَّ جَاءَتْ جَارِيَةٌ كَأَنَّمَا تُدْفَعُ، فَذَهَبَتْ لِتَضَعَ يَدَهَا فِي الطَّعَامِ، قال: فَأَخَذَ

The Messenger of Allah "Allah's blessing and peace be upon him" caught hold of her hand. The Messenger of Allah "Allah's blessing and peace be upon him" said: "Satan regards lawful that food on which Allah's name is not mentioned. He had brought this Bedouin so that the food might be made lawful for him, and I caught hold of his hand. He then had brought this girl so that the food might be made lawful for him, and I caught hold of her hand. By Him, in Whose hand is my life, it was his (Satan's) hand which was in my hand along with their hands."

3767- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you starts eating, let him mention Allah's Name (on having food), and if he forgets to mention Allah's Name in the beginning, let him then say: "In the Name of Allah in the beginning and the ending."

3768- It is narrated on the authority of Umayyah Ibn Makhshi, and he was one of the companions of the Messenger of Allah "Allah's blessing and peace be upon him", that he said: The Messenger of Allah "Allah's blessing and peace be upon him" was sitting while a man was eating, and he did not mention Allah's Name until there remained nothing of his food barring a morsel, and when he raised it up to his mouth, he said: "In the Name of Allah in the beginning and the ending." On that the Messenger of Allah "Allah's blessing and peace be upon him" smiled, and then he said: "Satan has kept eating with him (as long as he has not mentioned Allah's Name), and when he mentioned Allah's Name, he caused him (Satan) to vomit all that was in his abdomen."

[17] Eating While Reclining

3769- It is narrated on the authority of Abu Juhaifah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "I never eat while reclining (against my buttocks)."

3770- It is narrated on the authority of Shu'aib Ibn Abdullah Ibn Amr from his father that he said: Never was the Messenger of Allah "Allah's blessing and peace be upon him" seen having eaten while reclining (firmly against his buttocks), nor did he make two men tread on the land behind him (for he "Peace be upon him" never walked ahead of the people as it was the habit of the arrogant ones, but most frequently, it was his custom to walk behind or among the people out of his modesty and humbleness).

3771- It is narrated on the authority of Anas that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" sent me to do

رَسُولُ اللَّهِ ﷺ بِيَدِهَا وَقَالَ: «**إِنَّ الشَّيْطَانَ لَيَسْتَحِلُّ الطَّعَامَ الَّذِي لَمْ يُذْكَرِ اسْمُ اللَّهِ عَلَيْهِ، وَإِنَّهُ جَاءَ بِهَذَا الأَعْرَابِيِّ لِيَسْتَحِلَّ بِهِ فَأَخَذْتُ بِيَدِهِ، وَجَاءَ بِهَذِهِ الْجَارِيَةِ لِيَسْتَحِلَّ بِهَا فَأَخَذْتُ بِيَدِهَا، فَوَالَّذِي نَفْسِي بِيَدِهِ إِنَّ يَدَهُ لَفِي يَدِي مَعَ أَيْدِيهِمَا**».

3767 ـ حدّثنا مُؤَمَّلُ بنُ هِشامٍ، قال: حدَّثنا إِسْمَاعِيلُ، عن هِشَامٍ ـ يَعْنِي ابنَ أَبِي عَبْدِ اللَّهِ الدَّسْتَوَائِيَّ ـ، عن بُدَيْلٍ، عن عَبْدِ اللَّهِ بنِ عُبَيْدٍ، عن امْرَأَةٍ مِنْهُمْ يُقَالُ لَهَا أُمُّ كُلْثُوم، عن عَائِشَةَ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**إِذَا أَكَلَ أَحَدُكُمْ فَلْيَذْكُر اسْمَ اللَّهِ فَإِنْ نَسِيَ أَنْ يَذْكُرَ اسْمَ اللَّه فِي أَوَّلِهِ فَلْيَقُلْ بِسْمِ اللَّه أَوَّلَهُ وآخِرَهُ**».

3768 ـ حدّثنا مُؤَمَّلُ بنُ الْفَضْلِ الْحَرَّانِيُّ، قال: حدَّثنا عِيسَى ـ يَعْنِي ابنَ يُونُسَ ـ قال: أخبرنا جَابِرُ بنُ صُبْحٍ، قال: أخبرنا الْمُثَنَّى بنُ عَبْدِ الرَّحْمَنِ الْخُزَاعِيُّ، عن عَمِّهِ أُمَيَّةَ بنِ مَخْشِيٍّ ـ وَكَانَ مِنْ أَصْحَابِ رَسُولِ اللَّهِ ﷺ ـ قالَ: كَانَ رَسُولُ اللَّهِ ﷺ جَالِسًا وَرَجُلٌ يَأْكُلُ فَلَمْ يُسَمِّ حَتَّى لَمْ يَبْقَ مِنْ طَعَامِهِ إِلاَّ لُقْمَةٌ، فَلَمَّا رَفَعَهَا إِلَى فَمِهِ قال: بِسْمِ اللَّهِ أَوَّلَهُ وَآخِرَهُ، فَضَحِكَ النَّبِيُّ ﷺ ثُمَّ قَالَ: «**مَا زَالَ الشَّيْطَانُ يَأْكُلُ مَعَهُ، فَلَمَّا ذَكَرَ اسْمَ اللَّهِ اسْتَقَاءَ مَا فِي بَطْنِهِ**».

قال أَبُو دَاوُدَ: جَابِرُ بنُ صُبْحٍ جَدُّ سُلَيْمَانَ بنِ حَرْبٍ مِنْ قِبَلِ أُمِّهِ.

[ت17/م16] ـ باب ما جاء في الأكل متكئًا

3769 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ، قال: حدَّثنا سُفْيَانُ، عن عَلِيِّ بنِ الأَقْمَرِ، قال: سَمِعْتُ أَبَا جُحَيْفَةَ قالَ: قالَ النَّبِيُّ ﷺ: «**لاَ آكُلُ مُتَّكِئًا**».

3770 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قال: أخبرنا حَمَّادٌ، عن ثَابِتٍ الْبُنَانِيِّ، عن شُعَيْبِ بنِ عَبْدِ اللَّهِ بنِ عَمْرٍو، عن أَبِيهِ قال: «مَا رُؤِيَ رَسُولُ اللَّهِ ﷺ يَأْكُلُ مُتَّكِئًا قَطُّ وَلاَ يَطَأُ عَقِبَهُ رجلاَنِ».

3771 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ، قال: حدَّثنا وَكِيعٌ، عن مُصْعَبِ بنِ سُلَيْم قال: سَمِعْتُ أَنَسًا يَقُولُ: «بَعَثَنِي النَّبِيُّ ﷺ فَرَجَعْتُ إِلَيْهِ

a job for him, and when I returned, I found him eating dates while sitting on his buttocks, setting up his legs.

[18] What About Eating From The Top Of The Dish?

3772- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “When anyone of you eats food, let not him eat from the top of the dish, but from the lower portion of it (i.e. from what is next to him), for the blessing stems from the top of the dish.”

3773- It is narrated on the authority of Abdullah Ibn Busr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" had a bowl (in which food was put) called Gharra’ (the white bright), which four men used to carry. When it was forenoon, and they offered the (supererogatory) prayer of Duha, this bowl was brought, and a meal of porridge with meat was prepared in it. They surrounded it (in order to eat), and when they proved to be great in number, the Messenger of Allah "Allah's blessing and peace be upon him" knelt (to leave space for others to sit), thereupon a desert dweller said: “What is that kneeling?” the Messenger of Allah "Allah's blessing and peace be upon him" said: “No doubt, Allah has made me a generous servant, and He has not made me an obstinate transgressor.” The Messenger of Allah "Allah's blessing and peace be upon him" further said: “Eat from its sides, and leave its top, so that you will be blessed in it.”

[19] When One Sits On A Table Having What He Dislikes

3774- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade two ways of eating: to sit on a table on which wine is served, and to eat while lying on one’s abdomen.

3775- The same is narrated on the authority of Az-Zuhri, through another chain of transmission.

[20] Eating With The Right Hand

3776- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “When anyone of you eats, let him eat with his right hand, and when he drinks, let him drink with his right hand: indeed, Satan eats with his left hand, and drinks with his left hand.”

3777- It is narrated on the authority of Umar Ibn Abu Salamah that he said: The Messenger of Allah "Allah's blessing and peace be upon him"

فَوَجَدْتُهُ يَأْكُلُ تَمْرًا وَهُوَ مُقْعٍ».

[ت18/م17] ـ باب ما جاء في الأكل من أعلى الصحفة

3772 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ، قال: حدَّثنا شُعْبَةُ، عَنْ عَطَاءِ بنِ السَّائِبِ، عن سَعِيدِ بنِ جُبَيْرٍ عَن ابنِ عَبَّاسٍ، عن النَّبِيِّ ﷺ قال: **«إِذَا أَكَلَ أَحَدُكُمْ طَعَامًا فَلاَ يَأْكُلْ مِنْ أَعْلَى الصَّحْفَةِ، وَلَكِنْ يَأْكُلْ مِنْ أَسْفَلِهَا فَإِنَّ الْبَرَكَةَ تَنْزِلُ مِنْ أَعْلاَهَا»**.

3773 ـ حدّثنا عَمْرُو بنُ عُثْمَانَ الْحِمْصِيُّ، قَالَ: حدَّثنا أَبِي: حدَّثنا مُحَمَّدُ بنُ عَبْدِ الرَّحْمَنِ بنِ عِرْقٍ: حدَّثنا عَبْدُ اللَّهِ بنُ بُسْرٍ قالَ: كَانَ لِلنَّبِيِّ ﷺ قَصْعَةٌ يُقَالُ لَهَا الْغَرَّاءُ يَحْمِلُهَا أَرْبَعَةُ رِجَالٍ فَلَمَّا أَضْحَوْا وَسَجَدُوا الضُّحَى أُتِيَ بِتِلْكَ الْقَصْعَةِ يَعْنِي وَقَدْ ثُرِّدَ فِيهَا فَالْتَفُّوا عَلَيْهَا، فَلَمَّا كَثُرُوا جَثَا رَسُولُ اللَّهِ ﷺ، فَقَالَ أَعْرَابِيٌّ: مَا هَذِهِ الْجِلْسَةُ؟ قالَ النَّبِيُّ ﷺ: **«إِنَّ اللَّه تَعَالَى جَعَلَنِي عَبْدًا كَرِيمًا وَلَمْ يَجْعَلْنِي جَبَّارًا عَنِيدًا»**، ثُمَّ قَالَ رَسُولُ اللَّهِ ﷺ: **«كُلُوا مِنْ حَوَالَيْهَا وَدَعُوا ذِرْوَتَهَا يُبَارَكْ فِيهَا»**.

[ت19/م18] ـ باب ما جاء في الجلوس على مائدة عليها بعض ما يكره

3774 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، قالَ: حدَّثنا كَثِيرُ بنُ هِشَامٍ، عنْ جَعْفَرِ بنِ بُرْقَانَ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنْ أَبِيهِ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ عَنْ مَطْعَمَيْنِ؛ عنِ الْجُلُوسِ عَلَى مَائِدَةٍ يُشْرَبُ عَلَيْهَا الْخَمْرُ، وَأَنْ يَأْكُلَ الرَّجُلُ وَهُوَ مُنْبَطِحٌ عَلَى بَطْنِهِ».

قال أَبُو دَاوُدَ: هَذَا الْحَدِيثُ لَمْ يَسْمَعْهُ جَعْفَرٌ عَنِ الزُّهْرِيِّ وَهُوَ مُنْكَرٌ.

3775 ـ حدّثنا هَارُونُ بنُ زَيْدِ بنِ أَبِي الزَّرْقَاءِ، قالَ: أَبِي قالَ: حدَّثنا جَعْفَرٌ أَنَّهُ بَلَغَهُ عَنِ الزُّهْرِيِّ هَذَا الحَدِيثُ.

[ت20/م19] ـ باب الأكل باليمين

3776 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ، قال: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، قال: أخبرني أَبُو بَكْرِ بنُ عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ بنِ عُمَرَ، عن جَدِّهِ ابنِ عُمَرَ أَنَّ النَّبِيَّ ﷺ قال: **«إِذَا أَكَلَ أَحَدُكُمْ فَلْيَأْكُلْ بِيَمِينِهِ، وَإِذَا شَرِبَ فَلْيَشْرَبْ بِيَمِينِهِ، فَإِنَّ الشَّيْطَانَ يَأْكُلُ بِشِمَالِهِ وَيَشْرَبُ بِشِمَالِهِ»**.

3777 ـ حدّثنا مُحَمَّدُ بنُ سُلَيْمَانَ لُوَيْنٌ، عن سُلَيْمَانَ بنِ بِلاَلٍ، عن أَبِي وَجْزَةَ ـ يَزِيدَ بنِ عُبيدٍ ـ، عن عُمَرَ بنِ أَبِي سَلَمَةَ قالَ: قالَ النَّبِيُّ ﷺ: **«ادْنُ بُنَيَّ فَسَمِّ اللَّهِ وَكُلْ**

said: "Come close O my son, mention Allah's Name, eat with your right hand, and eat just from what is next to you (of the dish)."

[21] Eating Meat

3778- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Cut not the (cooked) meat with the knife, since this is the conduct of the non-Arabs (which they do out of arrogance), and rather cut it with the edges of your teeth, since it is more fitting for quenching your hunger, and improving the process of digestion."

Abu Dawud says that this narration is not strong enough.

3779- It is narrated on the authority of Safwan Ibn Umayyah that he said: I was sharing food with the Messenger of Allah "Allah's blessing and peace be upon him", and I was removing the meat from the bone with my hand, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Bring the bone closer to your mouth (to cut the meat with the help of your teeth), since this is more ready to quench your hunger, and improve the process of digestion."

3780- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: The sheep's bone covered with meat was the dearest to the Messenger of Allah "Allah's blessing and peace be upon him".

3781- The same is narrated on the authority of Abu Dawud, through the same chain of transmission, in which he said: He used to admire the forearm (of the sheep), and it was the (cooked meat of the) forearm which was served to him as poisoned by (Zainab Bint Al-Harith, from) the Jews.

[22] Eating Gourd

3782- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" was invited by a tailor to a meal which he had prepared. I accompanied The Messenger of Allah "Allah's blessing and peace be upon him" to that meal. Bread made of parley, soup full of gourd and dried meat were brought nearer to the Messenger of Allah "Allah's blessing and peace be upon him", and I saw him seeking to eat the pieces of gourd from the various sides of the dish. Since that day I have liked eating gourd.

[23] Eating Porridge With Meat

3783- It is narrated on the authority of Ibn Abbas that he said: The porridge made of parley (with meat) and the porridge made of dates, cheese

بِيَمِينِكَ وَكُلْ مِمَّا يَلِيكَ».

[ت21/م20] - باب في أكل اللحم

3778 - حدّثنا سَعِيدُ بنُ مَنْصُورٍ، قال: حدَّثنا أَبُو مَعْشَرٍ، عن هِشَام بنِ عُرْوَةَ، عن أَبِيهِ، عن عَائِشَةَ رضي اللَّه عنها قالَتْ: قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ تَقْطَعُوا اللَّحْمَ بالسِّكِّينِ، فَإِنَّهُ مِنْ صَنِيعِ الأَعَاجِمِ وَانْهَسُوهُ فَإِنَّهُ أَهْنَأُ وَأَمْرَأُ**».

قال أَبُو دَاوُدَ: وَلَيْسَ هُوَ بالْقَوِيِّ.

3779 - حدّثنا مُحَمَّدُ بنُ عِيسَى، حدثنا ابنُ عُلَيَّةَ، عن عَبْدِ الرَّحْمَنِ بنِ إِسْحَاقَ، عن عَبْدِ الرَّحْمَنِ بنِ مُعَاوِيَةَ، عن عُثْمَانَ بنِ أَبِي سُلَيْمَانَ، عن صَفْوَانَ بنِ أُمَيَّةَ قالَ: كُنْتُ آكُلُ مَعَ النَّبِيِّ ﷺ فَآخُذُ اللَّحْمَ بِيَدِي مِنَ الْعَظْمِ، فَقَالَ: «**أَدْنِ الْعَظْمَ مِنْ فِيكَ فَإِنَّهُ أَهْنَأُ وَأَمْرَأُ**».

قال أَبُو دَاوُدَ: عُثْمَانُ لَمْ يَسْمَعْ مِنْ صَفْوَانَ، وَهُوَ مُرْسَلٌ.

3780 - حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ، قالَ: حدَّثنا أَبُو دَاوُدَ، قال: حدَّثنا زُهَيْرٌ، عن أَبِي إِسْحَاقَ، عن سَعْدِ بنِ عِيَاضٍ، عن عَبْدِ اللَّهِ بنِ مَسْعُودٍ قال: «كَانَ أَحَبَّ الْعُرَاقِ إِلَى رَسُولِ اللَّهِ ﷺ عُرَاقُ الشَّاةِ».

3781 - حدّثنا مُحَمَّدُ بنُ بَشَّارٍ، قال: حدَّثنا أَبُو دَاوُدَ بِهَذَا الإِسْنَادِ قالَ: «كَانَ النَّبِيُّ ﷺ يُعْجِبُهُ الذِّرَاعُ، قالَ: وَسُمَّ فِي الذِّرَاعِ، وَكَانَ يَرَى أَنَّ الْيَهُودَ هُمْ سَمُّوهُ».

[ت22/م21] - باب في أكل الدُّبَّاء

3782 - حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن إِسْحَاقَ بنِ عَبْدِ اللَّهِ بنِ أَبِي طَلْحَةَ أَنَّهُ سَمِعَ أَنَسَ بنَ مَالِكٍ يَقُولُ: «إِنَّ خَيَّاطًا دَعَا رَسُولَ اللَّهِ ﷺ لِطَعَام صَنَعَهُ، قَالَ أَنسٌ: فَذَهَبْتُ مَعَ رَسُولِ اللَّهِ ﷺ إِلَى ذَلِكَ الطَّعَام، فَقَرَّبَ إِلَيَّ رَسُولُ اللَّهِ ﷺ خُبْزًا مِنْ شَعِيرٍ وَمَرَقًا فِيهِ دُبَّاءٌ وَقَدِيدٌ، قالَ أَنسٌ: فَرَأَيْتُ رَسُولَ اللَّهِ ﷺ يَتَتَبَّعُ الدُّبَّاءَ مِنْ حَوَالَي الصَّحْفَةِ، فَلَمْ أَزَلْ أُحِبُّ الدُّبَّاءَ بَعْدَ يَوْمَئِذٍ».

[ت23/م22] - باب في أكل الثريد

3783 - حدّثنا مُحَمَّدُ بنُ حَسَّانَ السَّمْتِيُّ، قال: حدَّثنا الْمُبَارَكُ بنُ سَعِيدٍ، عن عَمْرِو بنِ سَعِيدٍ، عن رَجُلٍ مِنْ أَهْلِ الْبَصْرَةِ، عَنْ عِكْرِمَةَ، عن ابنِ عَبَّاسٍ قَالَ: «كَانَ أَحَبَّ

and cottage were the dearest kinds of food to the Messenger of Allah "Allah's blessing and peace be upon him".

Abu Dawud says that this narration is weak.

[24] It Is Undesirable To Loathe Food

3784- It is narrated on the authority of Qabisah Ibn Hulb from his father that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said, in reply to a man who said to him: "From amongst the kinds of food, there is such as I feel it difficult upon me to eat." He said: "Let no suspicion lurk in your breast, lest you would imitate (the manners of) Christianity."

[25] It Is Forbidden To Eat (The Flesh And Drink) The Milk Of Such Of Animals As Eats Dung

3785- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade to eat (the flesh and drink) the milk of such of animals as eats dung.

3786- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" forbade (to drink) the milk of such of animals as eats dung.

3787- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" forbade to ride and drink the milk of such of camels as eats dung.

[26] What About Eating The Meat Of Horses?

3788- It is narrated on the authority of Jabir Ibn Abdullah that he said: On the day of (the holy battle of) Khaibar, the Messenger of Allah "Allah's blessing and peace be upon him" forbade us to eat the meat of donkeys, but he gave us permission to eat the meat of horses (when there is severe necessity).

3789- It is narrated on the authority of Jabir Ibn Abdullah that he said: On the day of (the holy battle of) Khaibar, we slaughtered horses, mules and donkeys, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" forbade us (to eat the flesh of) both mules and donkeys, and did not forbid us (to eat the flesh of) horses.

3790- It is narrated on the authority of Khalid Ibn Al-Walid that the Messenger of Allah "Allah's blessing and peace be upon him" forbade eating the flesh of horses, mules and donkeys, in addition to such of wild animals as has fangs.

الطَّعَامِ إِلَى رَسُولِ اللَّهِ ﷺ الثَّرِيدُ مِنَ الْخُبْزِ، وَالثَّرِيدُ مِنَ الْحَيْسِ».

قال أَبُو دَاوُدَ: وَهُوَ ضَعِيفٌ.

.... ـ حدّثنا أَبُو الْعَاصِي، قَالَ: حدثَنَا أَبُو بَكْرٍ، قالَ: حدَّثنا أَبُو بِشْرٍ الدُّولاَبِيُّ، قال: حدَّثنا عَمْرُو بنُ عَلِيٍّ: حدَّثنا يَحْيَى بنُ سَعِيدٍ، عَنْ شُعْبَةَ قالَ: وَحدثَنَا يُوسُفُ بنُ سَعِيدٍ، قال: حدَّثنا حَجَّاجٌ، قال: حدَّثنا شُعْبَةُ، عَنْ عَمْرِو بنِ مُرَّةَ قال: سَمِعْتُ مَرَّةَ الْهَمْدَانِي يُحَدِّثُ عن أَبِي مُوسَى عَنِ النَّبِيِّ ﷺ قالَ: **«كمل من الرجل كثير ولم يَكملْ مِنَ النِّسَاءِ إِلاَّ مَرْيَمُ ابنَةُ عَمْرَان وَآسِيَةُ امْرَأَةُ فِرْعَوْن، وَإِنَّ فَضْل عَائِشَةَ عَلَى النِّسَاءِ كَفَضْلِ الثريدِ عَلَى سائرِ الطعام»**.

[ت24/م23] ـ باب في كراهية التقذر للطعام

3784 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ، قال: حدَّثنا زُهَيْرٌ قال: حدَّثنا سِمَاكُ بنُ حَرْبٍ، قال حدَّثَنِي قَبِيصَةُ بنُ هُلْبٍ، عن أَبِيهِ قال: سَمِعْتُ رَسُولَ اللَّهِ ـ وَسَأَلَهُ رَجُلٌ، فقال: إِنَّ مِنَ الطَّعَامِ طَعَامًا أَتَحَرَّجُ مِنْهُ، فقالَ: **«لاَ يَتَخَلَّجَنَّ فِي صَدْرِكَ شَيْءٌ ضَارَعْتَ فِيهِ النَّصْرانِيَّةَ»**.

[ت25/م24] ـ باب النَّهي عن أكل الجلاَّلة وألبانها

3785 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، قال: حدَّثنا عَبْدَةُ، عن مُحَمَّدِ بنِ إِسْحَاقَ، عن ابنِ أَبِي نَجِيحٍ، عن مُجَاهِدٍ، عن ابنِ عُمَرَ قال: «نَهَى رَسُولُ اللَّهِ ﷺ عَنْ أَكْلِ الْجَلاَّلَةِ وَأَلْبَانِهَا».

3786 ـ حدّثنا ابنُ الْمُثَنَّى، قال: حدَّثني أَبُو عَامِرٍ، قال: حدَّثنا هِشَامٌ، عن قَتَادَةَ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ: «أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ لَبَنِ الْجَلاَّلَةِ».

3787 ـ حدّثنا أَحْمَدُ بنُ أَبِي سُرَيْجٍ، قال: أخبرني عَبْدُ اللَّهِ بنُ جَهْمٍ، قال: حدثنا عَمْرُو ابنُ أبي قَيْسٍ، عن أَيُّوبَ السَّخْتِيَانِيِّ، عن نَافِعٍ، عن ابنِ عُمَرَ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ عن الْجَلاَّلَةِ فِي الإِبِلِ أَنْ يُرْكَبَ عَلَيْهَا، أَوْ يُشْرَبَ مِنْ أَلْبَانِهَا».

[ت26/م25] ـ باب في أكل لحوم الخيل

3788 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ، قالَ: حدَّثنا حَمَّادٌ، عن عَمْرِو بنِ دِينَارٍ، عن مُحَمَّدِ بنِ عَلِيٍّ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: «نَهَانَا رَسُولُ اللَّهِ ﷺ يَوْمَ خَيْبَرَ عَنْ لُحُومِ الْحُمُرِ، وَأَذِنَ لَنَا فِي لُحُومِ الْخَيْلِ».

3789 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قالَ: حدَّثنا حَمَّادٌ، عن أَبِي الزُّبَيْرِ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: «ذَبَحْنَا يَوْمَ خَيْبَرَ الْخَيْلَ وَالْبِغَالَ وَالْحَمِيرَ، فَنَهَانَا رَسُولُ اللَّهِ ﷺ عَنِ الْبِغَالِ وَالْحَمِيرِ، وَلَمْ يَنْهَنَا عَنِ الْخَيْلِ».

3790 ـ حدّثنا سَعِيدُ بنُ شَبِيبٍ، وَحَيْوَةُ بنُ شُرَيْحٍ الْحِمْصِيُّ، قَالَ حَيْوَةُ: أخبرنا بَقِيَّةُ، عن ثَوْرِ بنِ يَزِيدَ، عَنْ صَالِحِ بنِ يَحْيَى بنِ الْمِقْدَامِ بنِ مَعْدِي كَرِبَ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، عَنْ خَالِدِ بنِ الْوَلِيدِ: «أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ أَكْلِ لُحُومِ الْخَيْلِ وَالْبِغَالِ وَالْحَمِيرِ».

زَادَ حَيْوَةُ: «وَكُلِّ ذِي نَابٍ مِنَ السِّبَاعِ».

Abu Dawud says: There is no harm to eat the flesh of horses, and anyway, this narration is not considerable in this respect. Moreover, it is abrogated, for some companions of the Messenger of Allah "Allah's blessing and peace be upon him", e.g. Ibn Az-Zubair, Fadalah Ibn Ubaid, Anas Ibn Malik, Asma' Bint Abu Bakr, Suwaid Ibn Ghafalah, and Alqamah, were reported to have eaten the flesh of horses. Furthermore, the Quraish people used to slaughter horses (and eat their flesh) during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him".

[27] Eating The Rabbit

3791- It is narrated on the authority of Anas Ibn Malik that he said: I was still an adult when I caught a rabbit and roasted it. (I brought it to) Abu Talhah, who sent with me its back to the Messenger of Allah "Allah's blessing and peace be upon him" and I brought it to him, and he accepted it.

3792- It is narrated on the authority of Khalid Ibn Al-Huwairith that he said: Abdullah Ibn Amr was at Sifah, a place in Mecca when a man brought a rabbit which he had caught, and he said: “O Abdullah Ibn Amr! What do you say (pertaining to eating that)?” he said: “The same was brought to the Messenger of Allah "Allah's blessing and peace be upon him", and I was sitting, thereupon he did neither eat nor forbid its eating, and he pretended that (the female among) them get the blood (of menses like women).

[28] Eating The Mastigure

3793- It is narrated on the authority of Ibn Abbas that his aunt, (Maimunah Bint Al-Harith, the wife of the Prophet) presented to The Prophet “Allah’s blessing and peace be upon him” butter, dried yoghurt and mastigures. but The Prophet “Allah’s blessing and peace be upon him” ate of both butter and dried yogurt, and did not eat of the mastigures, as if he disliked that. Nevertheless, these (mastigures) were eaten on his dining sheet, and had it been unlawful (to eat the mastigure), it would not have been eaten on the dining sheet of The Prophet “Allah’s blessing and peace be upon him”.

3794- It is narrated on the authority of Abdullah Ibn Abbas from Khalid Ibn Al-Walid that he entered the house of Maimunah (the wife of the Prophet) in the company of the Messenger of Allah "Allah's blessing and peace be upon him", and a roasted mastigure was brought to him. The Messenger of Allah "Allah's blessing and peace be upon him" stretched his hand towards the (meat of the) mastigure whereupon a lady from among those who were present, said: “You should inform The Messenger of Allah

قال أَبُو دَاوُدَ: لاَ بَأْسَ بِلُحُومِ الْخَيْلِ وَلَيْسَ الْعَمَلُ عَلَيْهِ.

قال أَبُو دَاوُدَ: هَذَا مَنْسُوخٌ قَدْ أَكَلَ لُحُومَ الْخَيْلِ جَمَاعَةٌ مِنْ أَصْحَابِ النَّبِيِّ ﷺ، مِنْهُمُ ابنُ الزُّبَيْرِ، وَفَضَالَةُ بنُ عُبَيْدٍ، وَأَنَسُ بنُ مَالِكٍ، وَأَسْمَاءُ بِنْتُ أَبِي بَكْرٍ، وَسُوَيْدُ بنُ غَفَلَةَ، وَعَلْقَمَةُ، وَكَانَتْ قُرَيْشٌ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ تَذْبَحُهَا.

[ت27/م26] ـ باب في أكل الأرنب

3791 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قالَ: حدَّثنا حَمَّادٌ، عَنْ هِشَامِ بنِ زَيْدٍ، عَنْ أَنَسِ بنِ مَالِكٍ قالَ: «كُنْتُ غُلاَمًا حَزَوَّرًا فَصِدْتُ أَرْنَبًا فَشَوَيْتُهَا، فَبَعَثَ مَعِي أَبُو طَلْحَةَ بِعَجُزِهَا إِلَى النَّبِيِّ ﷺ فَأَتَيْتُهُ بِهَا فَقَبِلَهَا».

3792 ـ حدّثنا يَحْيَى بنُ خَلَفٍ، قالَ: حدَّثنا رَوْحُ بنُ عُبَادَةَ قالَ: حدَّثنا مُحَمَّدُ بنُ خَالِدٍ قالَ: سَمِعْتُ أَبِي خَالِدَ بنَ الْحُوَيْرِثِ يَقُولُ: «إِنَّ عَبْدَ اللَّهِ بنَ عَمْرٍو كَانَ بالصِّفَاحِ، قالَ مُحَمَّدٌ: مَكَانٌ بِمَكَّةَ، وَإِنَّ رَجُلاً جَاءَ بِأَرْنَبٍ قَدْ صَادَهَا فَقَالَ: يَا عَبْدَ اللَّهِ بنَ عَمْرٍو مَا تَقُولُ؟ قَالَ: قَدْ جِيءَ بِهَا إِلَى رَسُولِ اللَّهِ ﷺ وَأَنَا جَالِسٌ فَلَمْ يَأْكُلْهَا وَلَمْ يَنْهَ عَنْ أَكْلِهَا» وَزَعَمَ أَنَّهَا تَحِيضُ.

[ت28/م27] ـ باب في أكل الضَّب

3793 ـ حدّثنا حَفْصُ بنُ عُمَرَ، قالَ: حدَّثنا شُعْبَةُ، عَنْ أَبِي بِشْرٍ، عَنْ سَعِيدِ بنِ جُبَيْرٍ، عنِ ابنِ عَبَّاسٍ: «أَنَّ خَالَتَهُ أَهْدَتْ إِلَى رَسُولِ اللَّهِ ﷺ سَمْنًا وَأَضُبًّا وَأَقِطاً، فَأَكَلَ مِنَ السَّمْنِ وَمِنَ الأَقِطِ وَتَرَكَ الأَضُبَّ تَقَذُّرًا، وَأُكِلَ عَلَى مَائِدَتِهِ ﷺ وَلَوْ كَانَ حَرَامًا مَا أُكِلَ عَلَى مَائِدَةِ رَسُولِ اللَّهِ ﷺ».

3794 ـ حدّثنا الْقَعْنَبِيُّ، عَنْ مَالِكٍ، عن ابنِ شِهَابٍ، عَنْ أَبِي أُمَامَةَ بنِ سَهْلِ بنِ حُنَيْفٍ، عنْ عَبْدِ اللَّهِ بنِ عَبَّاسٍ، عَنْ خَالِدِ بنِ الْوَلِيدِ: «أَنَّهُ دَخَلَ مَعَ رَسُولِ اللَّهِ ﷺ بَيْتَ مَيْمُونَةَ فَأُتِيَ بِضَبٍّ مَحْنُوذٍ فَأَهْوَى إِلَيْهِ رَسُولُ اللَّهِ ﷺ بِيَدِهِ، فَقَالَ بَعْضُ النِّسْوَةِ اللاَّتِي فِي بَيْتِ مَيْمُونَةَ: أَخْبِرُوا النَّبِيَّ ﷺ بِمَا يُرِيدُ أَنْ يَأْكُلَ مِنْهُ فَقَالُوا: هُوَ ضَبٌّ فَرَفَعَ رَسُولُ اللَّهِ ﷺ يَدَهُ فَقُلْتُ: أَحَرَامٌ يَا رَسُولَ اللَّهِ؟ قَالَ:

"Allah's blessing and peace be upon him" of what he intends to eat." They said to him: It is the meat of a mastigure." (On learning that) The Messenger of Allah "Allah's blessing and peace be upon him" withdrew his hand from the meat of the mastigure. Khalid Ibn Al-Walid said: "O Allah's Apostle! Is this unlawful to eat?" The Messenger of Allah "Allah's blessing and peace be upon him" replied: "No, but it is not found in the land of my people, so I do not like it." Khalid said: "Then I pulled the mastigure (meat) towards me and starting eating it while The Messenger of Allah "Allah's blessing and peace be upon him" was looking at me.

3795- It is narrated on the authority of Thabit Ibn Wadi'ah that he said: We were with the Messenger of Allah "Allah's blessing and peace be upon him" in a military expedition when we got mastigures, of which I roasted one and brought it to the Messenger of Allah "Allah's blessing and peace be upon him", who then took a leaf stalk therewith he started counting his fingers, and said: "From amongst the Israelites, there was a sect, who were transformed into animals on earth, and I do not know which animals they are." Neither did he eat, nor did he forbid that.

3796- It is narrated on the authority of Abd Ar-Rahman Ibn Shibl that the Messenger of Allah "Allah's blessing and peace be upon him" forbade eating the meat of mastigures.

[29] Eating The Bustard

3797- It is narrated on the authority of Safinah that he said: I shared eating the meat of a bustard with the Messenger of Allah "Allah's blessing and peace be upon him".

[30] What About Eating The Small Animals Of The Land?

3798- It is narrated on the authority of Milqan Ibn At-Talib from his father that he said: I accompanied the Messenger of Allah "Allah's blessing and peace be upon him" (for a long time) during which I have never heard him forbidding (to eat the meat of) the small animals of the land

3799- It is narrated on the authority of Isa Ibn Numailah from his father that he said: I was sitting with Ibn Umar when he was asked about eating the hedgehog, thereupon he recited: "Say: "I find not in the Message received by me by inspiration any (meat) forbidden to be eaten by one who wishes to eat it." (Al-An'am 145) an old man who was present with him said: I heard Abu Hurairah having told that it (the hedgehog) was mentioned in the presence of the Messenger of Allah "Allah's blessing and peace be upon him", thereupon he said: "It is one from amongst the wicked

«لاَ، وَلَكِنَّهُ لَمْ يَكُنْ بِأَرْضِ قَوْمِي فَأَجِدُنِي أعافُهُ». قالَ خَالِدٌ: فَاجْتَرَرْتُهُ فَأَكَلْتُهُ، وَرَسُولُ اللَّهِ ﷺ يَنْظُرُ».

3795 ـ حدّثنا عَمْرُو بنُ عَوْنٍ، قالَ: حدَّثنا خَالِدٌ، عن حُصَيْنٍ، عَنْ زَيْدِ بنِ وَهْبٍ، عن ثَابِتِ بنِ وَدِيعَةَ قالَ: «كُنَّا مَعَ رَسُولِ اللَّهِ ﷺ فِي جَيْشٍ فَأَصَبْنَا ضِبَابًا قالَ: فَشَوَيْتُ مِنهَا ضَبًّا فَأَتَيْتُ رَسُولَ اللَّهِ ﷺ فَوَضَعْتُهُ بَيْنَ يَدَيْهِ، قَالَ: فَأَخَذَ عُودًا فَعَدَّ بِهِ أَصَابِعَهُ، ثُمَّ قَالَ: **«إِنَّ أُمَّةً مِنْ بَنِي إِسْرَائِيلَ مُسِخَتْ دَوَابَّ فِي الأَرْضِ وَإِنِّي لاَ أَدْرِي أَيُّ الدَّوَابِّ هِيَ»** قالَ: فَلَمْ يَأْكُلْ وَلَمْ يَنْهَ».

3796 ـ حدّثنا مُحَمَّدُ بنُ عَوْفٍ الطَّائِيُّ، أَنَّ الْحَكَمَ بنَ نَافِعٍ حَدَّثَهُمْ، قالَ: أخبرنا ابنُ عَيَّاشٍ، عنْ ضَمْضَمِ بنِ زُرْعَةَ، عنْ شُرَيْحِ بنِ عُبَيْدٍ، عنْ أَبِي رَاشِدٍ الْحُبْرَانِيِّ، عَنْ عَبْدِ الرَّحْمَنِ بنِ شِبْلٍ: «أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عنْ أَكْلِ لَحمِ الضَّبِّ».

[ت29/م28] ـ باب في أكل لحم الحُبَارَى

3797 ـ حدّثنا الْفَضْلُ بنُ سَهْلٍ، قالَ: حَدَّثَنِي إِبْرَاهِيمُ بنُ عَبْدِ الرَّحْمَنِ بنِ مَهْدِيٍّ، قالَ: حَدَّثَنِي بُرَيْهُ بنُ عُمَرَ بنِ سَفِينَةَ، عَنْ أَبِيهِ، عَنْ جَدِّهِ قالَ: «أَكَلْتُ مَعَ النَّبِيِّ ﷺ لَحْمَ حُبَارَى».

[ت30/م29] ـ باب في أكل حشرات الأرض

3798 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قالَ: حدَّثنا غَالِبُ بنُ حَجْرَةَ قالَ: حَدَّثَنِي مِلْقَامُ بنُ تِلْبٍ، عنْ أَبِيهِ قالَ: «صَحِبْتُ رَسُولَ اللَّهِ ﷺ فَلَمْ أَسْمَعْ لِحَشَرَةِ الأَرْضِ تَحْرِيمًا».

3799 ـ حدّثنا أَبو ثَوْرٍ إِبْرَاهِيمُ بنُ خَالِدٍ الْكَلْبِيُّ، قالَ: حدَّثنا سَعِيدُ بنُ مَنْصُورٍ، أخبرنا عَبْدُ الْعَزِيزِ بنُ مُحَمَّدٍ، عنْ عِيسَى بنِ نُمَيْلَةَ، عنْ أَبِيهِ قَالَ: «كُنْتُ عِنْدَ ابنِ عُمَرَ فَسُئِلَ عَنْ أَكْلِ الْقُنْفُذِ فَتَلاَ: ﴿قُل لَّآ أَجِدُ فِي مَآ أُوحِيَ إِلَيَّ مُحَرَّمًا﴾ [الأنعام: 145] الآيَةَ. قالَ: قالَ شَيْخٌ عِنْدَهُ: سَمِعْتُ أَبَا هُرَيْرَةَ يَقُولُ: ذُكِرَ عِنْدَ رَسُولِ اللَّهِ ﷺ

abominable things (which should not be eaten)." On that Ibn Umar said: "Then, since the Messenger of Allah "Allah's blessing and peace be upon him" said so, it should be the same as he said, even though we do not know (that he said so)."

[31] What About Such As In Whose Connection No Prohibition Has Been Mentioned?

3800- It is narrated on the authority of Ibn Abbas that he said: The people during the pre-Islamic period of ignorance used to eat (the meat of) some animals, and leave others out of disgust. Then, Allah Almighty sent His Messenger, revealed His Book (of Qur'an), permitted what is lawful, and forbade what is unlawful. Thus, what He made lawful is truly lawful, and what He prohibited is really unlawful, and what He kept silent of is (included in what is) allowed." Then, He recited Allah's saying: "Say: I find not in the (Divine) revelation received by me any (meat) forbidden to be eaten by one who wishes to eat it..."

[32] What About The Lizard?

3801- It is narrated on the authority of Jabir Ibn Abdullah that he said: I asked the Messenger of Allah "Allah's blessing and peace be upon him" about the lizard and he said: "It is a game, and the penalty of such as catches it while being in the state of Ihram is to offer a ram."

[33] It Is Forbidden To Eat The Wild Animals

3802- It is narrated on the authority of Abu Tha'labah Al-Khushani that the Messenger of Allah "Allah's blessing and peace be upon him" forbade eating such of the wild animals as has fangs (e.g. the lion, the tiger, the elephant, the wolf, etc).

3803- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" forbade eating such of the wild animals as has fangs and such of birds as has paws.

3804- It is narrated on the authority of Al-Miqdam Ibn Ma'di-Karib that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Behold! It is unlawful (to eat the flesh of) such of wild animals as has fangs, nor is it (lawful to eat the flesh of) the donkey, nor is it lawful to pick up the lost thing from the property of a non-Muslim who has a protection covenant with Muslims, unless he dispenses with it; and if one descends as a guest to some people, and they do not offer him hospitality as it should be, he has the right to take from them the like of such a hospitality (in recompense for what he is deprived of)."

فَقَالَ: «**خَبِيثَةٌ مِنَ الْخَبَائِثِ**». فقالَ ابنُ عُمَرَ: إِنْ كَانَ قالَ رَسُولُ اللَّهِ ﷺ هَذَا فَهُوَ كَمَا قالَ مَا لَمْ نَدْرِ».

[ت31/م30] ـ باب ما لم يذكر تحريمه

3800 ـ حدّثنا مُحَمَّدُ بنُ صُبَيْحٍ، قال: حدَّثنا الْفَضْلُ بنُ دُكَيْنٍ، قالَ: حدَّثنا مُحَمَّدٌ ـ يَعْنِي ابنَ شَرِيكٍ المَكِّيَّ ـ، عنْ عَمْرِو بنِ دِينَارٍ، عنْ أَبِي الشَّعْثَاءِ، عن ابنِ عَبَّاسٍ قالَ: «كَانَ أَهْلُ الْجَاهِلِيَّةِ يَأْكُلُونَ أَشْيَاءَ وَيَتْرُكُونَ أَشْيَاءَ تَقَذُّرًا، فَبَعَثَ اللَّه نَبِيَّهُ ﷺ وَأَنْزَلَ كِتَابَهُ وَأَحَلَّ حَلاَلَهُ وَحَرَّمَ حَرَامَهُ، فَمَا أَحَلَّ فَهُوَ حَلاَلٌ وَمَا حَرَّمَ فَهُوَ حَرَامٌ وَمَا سَكَتَ عَنْهُ فَهُوَ عَفْوٌ وَتَلاَ: ﴿**قُل لَّآ أَجِدُ فِي مَآ أُوحِيَ إِلَيَّ مُحَرَّمًا عَلَىٰ طَاعِمٍ يَطْعَمُهُۥٓ**﴾ [الأنعام: 145]» إلى آخِرِ الآيَة.

[ت 32/م31] ـ باب في أكل الضَّبُع

3801 ـ حدّثنا مُحَمَّدُ بنُ عَبْدِ اللَّهِ الْخُزَاعِيُّ، قالَ: حدَّثنا جَرِيرُ بنُ حَازِمٍ، عَنْ عَبْدِ اللَّهِ بنِ عُبَيْدٍ، عنْ عَبْدِ الرَّحْمَنِ بنِ أَبِي عَمَّارٍ، عنْ جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: «سَأَلْتُ رَسُولَ اللَّهِ ﷺ عَنِ الضَّبُعِ فَقَالَ: «**هُوَ صَيْدٌ وَيُجْعَلُ فِيهِ كَبْشٌ إِذَا صادَهُ المُحْرِمُ**».

[ت33/م32] ـ باب النَّهي عن أكل السِّباع

3802 ـ حدّثنا الْقَعْنَبِيُّ، عنْ مَالِكٍ، عن ابنِ شِهَابٍ، عنْ أَبِي إِدْرِيسَ الْخَوْلاَنِيِّ، عنْ أَبِي ثَعْلَبَةَ الْخُشَنِيِّ: «أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ أَكْلِ كُلِّ ذِي نَابٍ مِنَ السَّبُعِ».

3803 ـ حدّثنا مُسَدَّدٌ، قال: حدَّثنا أَبُو عَوَانَةَ، عنْ أَبِي بِشْرٍ، عنْ مَيْمُونِ بنِ مِهْرَانَ، عن ابنِ عَبَّاسٍ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ عَنْ أَكْلِ كُلِّ ذِي نَابٍ مِنَ السَّبُعِ وَعَنْ كُلِّ ذِي مِخْلَبٍ مِنَ الطَّيْرِ».

3804 ـ حدّثنا مُحَمَّدُ بنُ الْمُصَفَّى الْحِمْصِيُّ، قالَ: حدَّثنا مُحَمَّدُ بنُ حَرْبٍ، عنِ الزُّبَيْدِيِّ، عَنْ مَرْوَانَ بنِ رُؤْبَةَ التَّغْلَبِيِّ، عَنْ عَبْدِ الرَّحْمَنِ بنِ أَبِي عَوْفٍ، عن المِقْدَامِ بنِ مَعْدِيكَرِبَ، عنْ رَسُولِ اللَّهِ ﷺ قالَ: «**أَلاَ لاَ يَحِلُّ ذُو نَابٍ مِنَ السِّبَاعِ وَلاَ الْحِمَارُ الأَهْلِيُّ وَلاَ اللُّقَطَةُ مِنْ مَالِ مُعَاهَدٍ إِلاَّ أَنْ يَسْتَغْنِيَ عَنْهَا. وَأَيُّمَا رَجُلٍ ضَافَ قَوْمًا فَلَمْ يَقْرُوهُ، فَإِنَّ لَهُ أَنْ يُعْقِبَهُمْ بِمِثْلِ قِرَاهُ**».

3805- It is narrated on the authority of Ibn Abbas that on the day of (the holy battle of) Khaibar the Messenger of Allah "Allah's blessing and peace be upon him" forbade eating such of the wild animals as has fangs and such of birds as has paws.

3806- It is narrated on the authority of Khalid Ibn Al-Walid that he said: I took part with the Messenger of Allah "Allah's blessing and peace be upon him" in the holy battle of Khaibar, and the Jews came to him and made a complaint that the people (the Muslims) hurried to (take cattle and sheep from) their fields, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Behold! The property of the non-Muslims who have covenants of protection with Muslims is unlawful to be taken except with just cause; and it is unlawful for you (to eat the flesh of) donkeys, horses and mules, such of the wild animals as has fangs and such of birds as has paws."

3807- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade to accept the price of a cat. Ibn Abd Al-Malik says: he forbade eating and taking the price of a cat.

[34] What About Eating The Flesh Of Donkeys?

3808- It is narrated on the authority of Jabir Ibn Abdullah that he said: On the day of (the holy battle of) Khaibar, the Messenger of Allah "Allah's blessing and peace be upon him" forbade us to eat the flesh of donkeys, and gave us permission to eat the flesh of horses. Amr (the sub-narrator) said: I related this narration to Abu Ash-Sha'tha', thereupon he said: Al-Hakam Al-Ghifari supports that, even though the great learnt man, i.e. Ibn Abbas, rejects it.

3809- It is narrated on the authority of Ghalib Ibn Abjar that he said: We were stricken with draught, and I had nothing in my property therewith to feed my family barring some donkeys, but the Messenger of Allah "Allah's blessing and peace be upon him" had forbidden eating the flesh of donkeys. I went to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! We were stricken with draught, and I have nothing in my property therewith to feed my family barring the fat donkeys, but you had forbidden eating the flesh of donkeys." On that he said: "Feed your family from the fat of your donkeys. Indeed, I've forbidden (eating the flesh of) them because of those among the donkeys which eat the dung."

3805 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ، عنْ ابنِ أَبِي عَدِيٍّ، عن ابنِ أَبِي عَرُوبَةَ، عَنْ عَلِيِّ بنِ الْحَكَمِ، عَنْ مَيْمُونِ بنِ مِهْرَانَ، عَنْ سَعِيدِ بنِ جُبَيْرٍ، عنِ ابنِ عَبَّاسٍ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ يَوْمَ خَيْبَرَ عَنْ أَكْلِ كُلِّ ذِي نَابٍ مِنَ السِّبَاعِ وَعَنْ كُلِّ ذِي مِخْلَبٍ مِنَ الطَّيْرِ».

3806 ـ حدّثنا عَمْرُو بنُ عُثْمَانَ، قالَ: حدَّثنا مُحَمَّدُ بنُ حَرْبٍ، قالَ: حَدَّثَنِي أَبُو سَلَمَةَ سُلَيْمَانُ بنُ سُلَيْمٍ، عَنْ صَالِحِ بنِ يَحْيَى بنِ المِقْدَامِ، عَنْ جَدِّهِ المِقْدَامِ بنِ مَعْدِي كَرِبَ، عَنْ خَالِدِ بنِ الْوَلِيدِ قالَ: غَزَوْتُ مَعَ رَسُولِ اللَّهِ ﷺ خَيْبَرَ فَأَتَتِ الْيَهُودُ فَشَكَوْا أَنَّ النَّاسَ قَدْ أَسْرَعُوا إِلَى حَظَائِرِهِمْ، فَقَالَ رَسُولُ اللَّهِ ﷺ: **«أَلاَ لاَ تَحِلُّ أَمْوَالُ المُعَاهَدِينَ إِلاَّ بِحَقِّهَا، وَحَرَامٌ عَلَيْكُمْ حُمُرُ الأَهْلِيَّةِ وَخَيْلُهَا وَبِغَالُهَا وَكُلُّ ذِي نَابٍ مِنَ السِّبَاعِ وَكُلُّ ذِي مِخْلَبٍ مِن الطَّيْرِ»**.

3807 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ وَمُحَمَّدُ بنُ عَبْدِ المَلِكِ قالاَ: حدَّثنا عَبْدُ الرَّزَّاقِ، عَنْ عُمَرَ بنِ زَيْدٍ الصَّنْعَانِيِّ: «أَنَّهُ سَمِعَ أَبَا الزُّبَيْرِ، عَنْ جَابِرِ بنِ عَبْدِ اللَّهِ أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ ثَمَنِ الْهِرِّ».

قالَ ابنُ عَبْدِ المَلِكِ: «عَنْ أَكْلِ الْهِرِّ وَأَكْلِ ثَمَنِهَا».

[ت34/م33] ـ باب في لحوم الحُمُر الأهليَّة

3808 ـ حدّثنا إِبْرَاهِيمُ بنُ الْحَسَنِ المِصِّيْصِيُّ، قالَ: حدَّثنا حَجَّاجٌ، عنْ ابنِ جُرَيْجٍ، قالَ: أخبرني عَمْرُو بنُ دِينَارٍ، قالَ: أخبرني رَجُلٌ، عنْ جَابِرِ بنِ عَبْدِ اللَّهِ قَالَ: «نَهَى رَسُولُ اللَّهِ ﷺ يَوْمَ خَيْبَرَ عن أَنْ نَأْكُلَ لُحُومَ الْحُمُرِ وَأَمَرَ أَنْ نَأْكُلَ لُحُومَ الْخَيْلِ».

3809 ـ حدّثنا عَبْدُ اللَّهِ بنُ أَبِي زِيَادٍ، قالَ: حدَّثنا عُبَيْدُ اللَّهِ، عنْ إِسْرَائِيلَ، عنْ مَنْصُورٍ، عنْ عُبَيْدٍ أَبِي الْحَسَنِ، عنْ عَبْدِ الرَّحْمَنِ، عنْ غَالِبِ بنِ أَبْجَرَ قَالَ: أَصَابَتْنَا سَنَةٌ فَلَمْ يَكُنْ فِي مَالِي شَيْءٌ أُطْعِمُ أَهْلِي إِلاَّ شَيْءٌ مِنْ حُمُرٍ وَقَدْ كَانَ النَّبِيُّ ﷺ حَرَّمَ لُحُومَ الْحُمُرِ الأَهْلِيَّةِ، فَأَتَيْتُ النَّبِيَّ ﷺ فَقُلْتُ: يَا رَسُولَ اللَّهِ أَصَابَتْنَا السَّنَةُ، وَلَمْ يَكُنْ فِي مَالِي مَا أُطْعِمُ أَهْلِي إِلاَّ سِمَانُ حُمُرٍ وَإِنَّكَ حَرَّمْتَ لُحُومَ الْحُمُرِ الأَهْلِيَّةِ؟ فَقَالَ: **«أَطْعِمْ أَهْلَكَ مِنْ سَمِينِ حُمُرِكَ فَإِنَّمَا حَرَّمْتُهَا مِنْ أَجْلِ جوالِ الْقَرْيَةِ»** يَعْنِي الجَلاَّلَةَ.

قال أَبُو دَاوُدَ: عَبْدُ الرَّحْمَنِ هَذَا هُوَ ابنُ مَعْقِلٍ.

Abu Dawud says: It is narrated on the authority of Shu'bah, through another chain of transmission that the chief of Muzainah, known as Abjar, or the son of Abjar, asked the Messenger of Allah "Allah's blessing and peace be upon him"...and the rest is the same.

3810- It is narrated on the authority of Ibn Ma'qil from two men belonging to Muzainah, one from the other, one of whom is Abdullah Ibn Amr Ibn Uwaim, and the other is Ghalib Ibn Abjar; and Mis'ar said: I see that it was Ghalib Ibn Abjar who went to the Messenger of Allah "Allah's blessing and peace be upon him"...and the rest is the same.

3811- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: On the day of (the holy battle of) Khaibar, the Messenger of Allah "Allah's blessing and peace be upon him" forbade eating the flesh of donkeys, and riding or eating the flesh of such of animals as eat dung.

[35] Eating Locusts

3812- It is narrated on the authority of Ibn Ya'fur that he said: I heard Ibn Abu Awfa, and I asked him about eating locusts, thereupon he said: I took part in six or seven holy battles with the Messenger of Allah "Allah's blessing and peace be upon him", and we ate that while we were with him.

3813- It is narrated on the authority of Salman that he said: The Messenger of Allah "Allah's blessing and peace be upon him" was asked about eating locusts, thereupon he said: "They constitute the greatest number of Allah's soldiers (among the birds): so, neither I eat nor I forbid eating them."

3814- It is narrated on the authority of Salman that he said: The Messenger of Allah "Allah's blessing and peace be upon him" was asked about eating locusts, thereupon he said: "They constitute the greatest number of Allah's soldiers (among the birds)."

Abu Dawud says: The same is narrated on the authority of Abu Uthman An-Nahdi from the Messenger of Allah "Allah's blessing and peace be upon him", and no mention is made of Salman.

[36] What About The Floating Fish?

3815- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Eat such (of fish) as the sea throws away, or uncovers by ebb and do not eat such as dies in it and floats (over the surface of the water)."

قال أَبُو دَاوُدَ: رَوَى شُعْبَةُ هَذَا الْحَدِيثَ، عن عُبَيْدٍ أَبِي الْحَسَنِ، عَنْ عَبْدِ الرَّحْمَنِ بن مَعْقِلٍ، عَنْ عَبْدِ الرَّحْمَنِ بنِ بِشْرٍ، عنْ نَاسٍ مِنْ مُزَيْنَةَ أَنَّ سَيِّدَ مُزَيْنَةَ أَبْجَرُ أَو ابنُ أَبْجَرَ سَأَلَ النَّبِيَّ ﷺ.

3810 ـ حدّثنا مُحَمَّدُ بنُ سُلَيْمَانَ: حدَّثنا أَبُو نُعَيْم، عَنْ مِسْعَرٍ، عن ابنِ عُبَيْدٍ، عن ابنِ مَعْقِلٍ، عنْ رَجُلَيْنِ مِنْ مُزَيْنَةَ أَحَدُهُمَا عَنِ الآخَرِ أَحَدُهُمَا عَبْدُ اللَّهِ بنُ عَمْرِو بنِ عُوَيْمٍ وَالآخَرُ غَالِبُ بنُ الأَبْجَرِ، قالَ مِسْعَرٌ: «أَرَى غَالِبًا الَّذِي أَتَى النَّبِيَّ ﷺ بِهَذَا الْحَدِيثِ».

قَالَ عَمْرٌو: فَأَخْبَرْتُ هَذَا الْخَبَرَ أَبَا الشَّعْثَاءِ فَقَالَ: قَدْ كَانَ الْحَكَمُ الْغِفَارِيُّ فِينَا يَقُولُ هَذَا، وَأَبَى ذَلِكَ الْبَحْرُ، يُرِيدُ ابنَ عَبَّاسٍ.

3811 ـ حدّثنا سَهْلُ بنُ بَكَّارٍ، قالَ: حدَّثنا وُهَيْبٌ، عن ابنِ طَاوسٍ، عنْ عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عَنْ جَدِّهِ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ يَوْمَ خَيْبَرَ عَنْ لُحُومِ الْحُمُرِ الأَهْلِيَّةِ وَعَنِ الجَلاَّلَةِ؛ عَنْ رُكُوبِهَا وَأَكْلِ لَحمِهَا».

[ت35/م34] ـ باب في أكل الجراد

3812 ـ حدّثنا حَفْصُ بنُ عُمَرَ النَّمَرِيُّ، قالَ: حدَّثنا شُعْبَةُ، عنْ أَبِي يَعْفُورَ قالَ: سَمِعْتُ ابنَ أَبِي أَوْفَى، وَسَأَلْتُهُ عن الْجَرَادِ فَقَالَ: «غَزَوْتُ مَعَ رَسُولِ اللَّهِ ﷺ سِتَّ أَوْ سَبْعَ غَزَوَاتٍ فَكُنَّا نَأْكُلُهُ مَعَهُ».

3813 ـ حدّثنا مُحَمَّدُ بنُ الْفَرَجِ الْبَغْدَادِيُّ، قالَ: حدَّثنا ابنُ الزِّبْرِقَانِ، قالَ: حدَّثنا سُلَيْمَانُ التَّيْمِيُّ، عنْ أَبِي عُثْمَانَ النَّهْدِيِّ، عن سَلْمَانَ قالَ: سُئِلَ رَسُولُ اللَّهِ ﷺ عن الْجَرَادِ فَقَالَ: «**أَكْثَرُ جُنُودِ اللَّهِ؛ لاَ آكُلُهُ وَلاَ أُحَرِّمُهُ**».

قال أَبُو دَاوُدَ: رَوَاهُ المُعْتَمِرُ، عنْ أَبِيهِ، عَنْ أَبِي عُثْمَانَ، عن النَّبِيِّ ﷺ لَمْ يَذْكُرْ سَلْمَانَ.

3814 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ وَعَلِيُّ بنُ عَبْدِ اللَّهِ قَالاَ: حدَّثنا زَكَرِيَّا بنُ يَحْيَى بنِ عُمَارَةَ، عَنْ أَبِي الْعَوَّامِ الْجَزَّارِ، عَنْ أَبِي عُثْمَانَ النَّهْدِيِّ، عَنْ سَلْمَانَ أَنَّ رَسُولَ اللَّهِ ﷺ سُئِلَ فَقَالَ مِثْلَهُ قَالَ: «**أَكْثَرُ جُنْدِ اللَّهِ**».

قَالَ عَلِيٌّ: اسْمُهُ فَائِدٌ، يَعْنِي أَبَا الْعَوَّامِ.

قال أَبُو دَاوُدَ: رَوَاهُ حَمَّادُ بنُ سَلَمَةَ، عنْ أَبِي الْعَوَّامِ، عَنْ أَبِي عُثْمَانَ، عن النَّبِيِّ ﷺ لَمْ يَذْكُرْ سَلْمَانَ.

[ت36 /م35] ـ باب في أكل الطافي من السمك

3815 ـ حدّثنا أَحْمَدُ بنُ عَبْدَةَ، قالَ: حدَّثنا يَحْيَى بنُ سُلَيْم الطَّائِفِيُّ، قالَ: حدَّثنا إِسْمَاعِيلُ بنُ أُمَيَّةَ، عنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بنِ عَبْدِ اللَّهِ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَا أَلْقَى الْبَحْرُ أَوْ جَزَرَ عَنْهُ فَكُلُوهُ وَمَا مَاتَ فِيهِ وَطَفَا فَلاَ تَأْكُلُوهُ**».

Abu Dawud says: The same is narrated on the authority of Jabir, with whom it is ended up.

[37] When One Is Forced By Necessity To Eat The Dead

3816- It is narrated on the authority of Jabir Ibn Samurah that a man descended at the black stony ground (of Medina), in the company of his wife and children. Another man said to him: “A she-camel of mine has strayed: if you find it, keep it (until I return).” Later on, he found it, but he did not find its lord. It fell ill, and his wife said to him: “Slaughter it.” But he refused. Then, it died, and his wife said to him: “stripe off its hide so that we would dry its fat and meat and eat it.” He said: “(No) until I seek the verdict of the Messenger of Allah "Allah's blessing and peace be upon him".” He went to the Messenger of Allah "Allah's blessing and peace be upon him" and asked him, thereupon he said: “Do you have anything to satisfy you (and your dependents)?” he answered in the negative. On that he said to him: “Then, (there is no harm to) eat it.” Its lord came, whom he told the story, thereupon he said to him: “Why have you not slaughtered it?” he said: “I’ve felt shy of you.”

3817- It is narrated on the authority of Al-Fujai’ (Ibn Abdullah) Al-Amiri that he went to the Messenger of Allah "Allah's blessing and peace be upon him" and said: “Which of the dead is lawful for us (to eat)?” he asked him: “What is your food?” he said: “(No more than) a small vessel of milk in the morning, and another one in the evening.” He said: “This, by my father, could, by no means, satisfy the hunger.” He then made the dead lawful for them while being in such a state (of severe hunger).

[38] Combining Two Kinds Of Food

3818- It is narrated on the authority of Ibn Umar that he said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" said: “Would that we have a white loaf made of wheat greased with ghee, so that we would eat it.” A man from amongst the Ansar heard that, and soon, he prepared it, and brought it to the Messenger of Allah "Allah's blessing and peace be upon him". The Messenger of Allah "Allah's blessing and peace be upon him" said: “In which container was this ghee?” he said: “It was in a container(made from the leather) of a mastigure.” The Messenger of Allah "Allah's blessing and peace be upon him" then (rejected to eat it and) said: “Lift it!”

قال أَبُو دَاوُدَ: رَوَى هَذَا الْحَدِيثَ سُفيَانُ الثَّوْرِيُّ، وَأَيُّوبُ، وَحَمَّادٌ، عَنْ أَبِي الزُّبَيْرِ أَوْقَفُوهُ عَلَى جَابِرٍ. وَقَدْ أُسْنِدَ هَذَا الْحَدِيثُ أَيْضًا مِنْ وَجْهٍ ضَعِيفٍ، عن ابنِ أَبِي ذِئْبٍ، عنْ أَبِي الزُّبَيْرِ، عنْ جَابِرٍ، عن النَّبِيِّ ﷺ.

[ت37/م36] ـ باب في المضطر إلى الميتة

3816 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قالَ: حدَّثنا حَمَّادٌ، عنْ سِمَاكِ بنِ حَرْبٍ، عنْ جَابِرِ بنِ سَمُرَةَ: «أَنَّ رَجُلاً نَزَلَ الْحَرَّةَ وَمَعَهُ أَهْلُهُ وَوَلَدُهُ فَقَالَ رَجُلٌ: إِنَّ نَاقَةً لِي ضَلَّتْ فَإِنْ وَجَدْتَهَا فَأَمْسِكْهَا. فَوَجَدَهَا فَلَمْ يَجِدْ صَاحِبَهَا، فَمَرِضَتْ، فَقَالَتِ امْرَأَتُهُ: انْحَرْهَا فَأَبَى فَنَفَقَتْ فَقَالَتْ: اسْلُخْهَا حَتَّى نُقَدِّدَ شَحْمَهَا وَلَحْمَهَا وَنأْكُلُهُ فَقَالَ: حَتَّى أَسْأَلَ رَسُولَ اللَّهِ ﷺ، فَأَتَاهُ فَسَأَلَهُ، فَقَالَ: **«هَلْ عِنْدَكَ غِنًى يُغْنِيكَ؟»** قَالَ: لاَ. قَالَ: **«فَكُلُوهَا»**، قَالَ: فَجَاءَ صَاحِبُهَا، فَأَخْبَرَهُ الْخَبَرَ، فَقَالَ: **«هَلاَّ كُنْتَ نَحَرْتَهَا؟»** قالَ: اسْتَحْيَيْتُ مِنْكَ».

3817 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ، قالَ: حدَّثنا الْفَضْلُ بنُ دُكَيْنٍ، قَالَ: ثَنَا عَقْبَةُ بنُ وَهْبِ بنِ عُقْبَةَ الْعَامِرِيُّ، قالَ: سَمِعْتُ أَبِي يُحَدِّثُ، عنِ الْفُجَيْعِ الْعَامِرِيِّ أَنَّهُ أَتَى رَسُولَ اللَّهِ ﷺ فَقَالَ: مَا يَحِلُّ لَنَا مِنَ الْمَيْتَةِ؟ قالَ: **«مَا طَعَامُكُمْ؟»** قُلْنَا: نَغْتَبِقُ وَنَصْطَبِحُ، قَالَ أَبُو نُعَيْم: فَسَّرَهُ لِي عُقْبَةُ: قَدَحٌ غُدْوَةً وَقَدَحٌ عَشِيَّةً. قالَ: **«ذَاكَ وَأَبِي الْجُوعُ»**، فَأَحَلَّ لَهُمُ الْمَيْتَةَ عَلَى هَذِهِ الْحَالِ.

قال أَبُو دَاوُدَ: الْغَبُوقُ مِنْ آخِرِ النَّهَارِ، وَالصَّبُوحُ مِنْ أَوَّلِ النَّهَارِ.

[ت38/م37] ـ باب في الجمع بين لونين من الطعام

3818 ـ حدّثنا مُحَمَّدُ بنُ عَبْدِ الْعَزِيزِ بنِ أَبِي رِزْمَةَ، قال: حدَّثنا الْفَضْلُ بنُ مُوسَى، عن حُسَيْنِ بنِ وَاقِدٍ، عن أَيُّوبَ، عن نَافِعٍ، عن ابنِ عُمَرَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«وَدِدْتُ أَنَّ عِنْدِي خُبْزَةً بَيْضَاءَ مِنْ بَرَّةٍ سَمْرَاءَ مُلَبَّقَةً بِسَمْنٍ وَلَبَنٍ»** فَقَامَ رَجُلٌ مِنَ الْقَوْمِ فَاتَّخَذَهُ فَجَاءَ بِهِ، فَقَالَ: **«فِي أَيِّ شَيْءٍ كَانَ هَذَا؟»** قالَ: فِي عُكَّةِ ضَبٍّ. قال: **«ارْفَعْهُ»**.

قال أَبُو دَاوُدَ: هذَا حَدِيثٌ مُنْكَرٌ.

قال أَبُو دَاوُدَ: وَأَيُّوبُ لَيْسَ هُوَ السَّخْتِيَانِيَّ.

[39] Eating Cheese

3819- It is narrated on the authority of Ibn Umar that he said: In Tabuk, (a round piece of) cheese was brought to the Messenger of Allah "Allah's blessing and peace be upon him", thereupon he asked for a knife, mentioned Allah's Name, and cut it.

[40] What About Vinegar?

3820- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "How good the vinegar is for condiment!"

3821- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "How good the vinegar is for condiment!"

[41] What About Eating Garlic?

3822- It is narrated on the authority of Ata Ibn Abu Rabah that Jabir said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who eats garlic or onion should leave us (or leave our mosque), and (instead) let him sit in his home." (Jabir resumed) Once, he (The Prophet) was served with a dish of vegetables, having offensive smell. When he asked about that, he was told of what seeds (of garlic or onion) it had. He ordered that it should be brought in front of one of his companions (who was present with him). when he (The Prophet) saw him having disliked to eat from it (in view of the fact that The Prophet himself disliked eating from it), he said to him: "Eat, for (what prevented me from eating of it is that) I speak privately (the angels) whom you do not speak."

3823- It is narrated on the authority of Abu Sa'id Al-Khudri that once, a mention was made to the Messenger of Allah "Allah's blessing and peace be upon him" of both onion and garlic, and it was said: "And the garlic is more offensive in smell: do you forbid eating it O Messenger of Allah?" The Messenger of Allah "Allah's blessing and peace be upon him" said: "(There is no blame on you to) eat it; and whoever of you eats it, let not him approach our mosque until its smell vanishes from him."

3824- It is narrated on the authority of Hudhaifah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who spits in the direction of the Qiblah, will come on the Day of Judgement, with his sputum in between his eyes; and he, who eats from these plants of vile (smell i.e. garlic, onion and leek), should not approach our mosque" (and he said it) thrice (until its offensive smell fades away from him)."

[ت39/ م38] ـ باب في أكل الجُبن

3819 ـ حدّثنا يَحْيَى بنُ مُوسَى الْبَلْخِيُّ، قالَ: حدَّثنا إِبْرَاهِيمُ بنُ عُيَيْنَةَ، عن عَمْرِو بنِ مَنْصُورٍ، عن الشَّعْبِيِّ، عن ابنِ عُمَرَ قالَ: «أُتِيَ النَّبِيُّ ﷺ بِجُبْنَةٍ فِي تَبُوكَ، فَدَعَا بِسِكِّينٍ فَسَمَّى وَقَطَعَ».

[ت40/ م39] ـ باب في الخلِّ

3820 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، قال: حدَّثنا مُعَاوِيَةُ بنُ هِشَام، قال: حدَّثنا سُفْيَانُ، عن مُحَارِبِ بنِ دِثَارٍ، عن جَابِرٍ، عن النَّبِيِّ ﷺ قالَ: **«نِعْمَ الإِدَامُ الْخَلُّ»**.

3821 ـ حدّثنا أَبُو الْوَلِيدِ الطَّيَالِسِيُّ وَمُسْلِمُ بنُ إِبْرَاهِيمَ قالاَ: حدَّثنا الْمُثَنَّى بنُ سَعِيدٍ، عن طَلْحَةَ بنِ نَافِعٍ، عن جَابِرِ بنِ عَبْدِ اللَّهِ، عن النَّبِيِّ ﷺ قال: **«نِعْمَ الإِدَامُ الْخَلُّ»**.

[ت41/ م40] ـ باب في أكل الثوم

3822 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ، قال: حدَّثنا ابنُ وَهْبٍ، قالَ: أخبرني يُونُسُ، عن ابنِ شِهَابٍ، قال: حَدَّثَنِي عَطَاءُ بنُ أَبِي رَبَاحٍ أَنَّ جَابِرَ بنَ عَبْدِ اللَّهِ قالَ: إِنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«مَنْ أَكَلَ ثُومًا أَوْ بَصَلاً فَلْيَعْتَزِلْنَا أَوْ لِيَعْتَزِلْ مَسْجِدَنَا وَلْيَقْعُدْ فِي بَيْتِهِ»**، وَإِنَّهُ أُتِيَ بِبَدْرٍ فِيهِ خَضِرَاتٌ مِنَ الْبُقُولِ فَوَجَدَ لَهَا رِيحًا فَسَأَلَ فَأُخْبِرَ بِمَا فِيهَا مِنَ الْبُقُولِ، فَقَالَ: **«قَرِّبُوهَا»** ـ إِلَى بَعْضِ أَصْحَابِهِ كَانَ مَعَهُ ـ فَلَمَّا رَآهُ كَرِهَ أَكْلَهَا، قالَ: **«كُلْ فَإِنِّي أُنَاجِي مَنْ لاَ تُنَاجِي»**.

قالَ أَحْمَدُ بنُ صَالِحٍ بِبَدْرٍ فَسَّرَهُ ابنُ وَهْبٍ طَبَق.

3823 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ، قال: حدَّثنا ابنُ وَهْبٍ، قالَ: أخبرني عَمْرٌو، أَنَّ بَكْرَ بنَ سَوَادَةَ حَدَّثَهُ، أَنَّ أَبَا النَّجِيبِ مَوْلَى عَبْدِ اللَّهِ بنِ سَعْدٍ حَدَّثَهُ أَنَّ أَبَا سَعِيدٍ الْخُدْرِيَّ حَدَّثَهُ: أَنَّهُ ذُكِرَ عِنْدَ رَسُولِ اللَّهِ ﷺ الثُّومُ وَالْبَصَلُ، وَقِيلَ: يَا رَسُولَ اللَّهِ وَأَشَدُّ ذَلِكَ كُلِّهِ الثُّومُ أَفَتُحَرِّمُهُ؟ فَقَالَ النَّبِيُّ ﷺ: **«كُلُوهُ وَمَنْ أَكَلَهُ مِنْكُمْ فَلاَ يَقْرَبْ هَذَا الْمَسْجِدَ حَتَّى يَذْهَبَ مِنْهُ رِيحُهُ»**.

3824 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، قال: حدَّثنا جَرِيرٌ، عن الشَّيْبَانِيِّ، عن عَدِيِّ بنِ ثَابِتٍ، عن زِرِّ بنِ حُبَيْشٍ، عن حُذَيْفَةَ أَظُنُّهُ عن رَسُولِ اللَّهِ ﷺ قَالَ: **«مَنْ تَفَلَ تُجَاهَ الْقِبْلَةِ جَاءَ يَوْمَ الْقِيَامَةِ تَفْلُهُ بَيْنَ عَيْنَيْهِ، وَمَنْ أَكَلَ مِنْ هَذِهِ الْبَقْلَةِ الْخَبِيثَةِ فَلاَ يَقْرَبَنَّ مَسْجِدَنَا ثَلاَثًا»**.

3825- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: “He, who eats of those trees (of garlic, onion, and leek), should not approach the mosques (until the offensive smell vanishes from him).”

3826- It is narrated on the authority of Al-Mughirah Ibn Shu’bah that he said: I ate garlic, and went to the praying place of the Messenger of Allah "Allah's blessing and peace be upon him" and they had offered one rak’ah before my arrival. When I entered the mosque the Messenger of Allah "Allah's blessing and peace be upon him" detected the smell of garlic. When the Messenger of Allah "Allah's blessing and peace be upon him" finished from the prayer he said: “He, who eats of this tree (of garlic) should not approach us until its smell vanishes from him.” When the prayer was over I went to the Messenger of Allah "Allah's blessing and peace be upon him" and said: “O Messenger of Allah! By Allah, you should give me your hand!” I got is hand from the sleeve of my shirt to my breast and behold! I have a bandage round my breast (out of severe hunger). On that he said: “You then have excuse.”

3827- It is narrated on the authority of Mu’awiyah Ibn Qurrah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade eating of those trees, and said: “He, who eats of them should not approach this mosque of ours.” He further said: “If you would inevitably eat of them, then, remove their offensive smell by cooking.” He means both garlic and onion.

3828- It is narrated on the authority of Ali that he said: Eating both garlic and onion was forbidden (by the Prophet) unless they be cooked (and their offensive smell be over).

3829- It is narrated on the authority of Abu Ziyad: Khiyar Ibn Salamah that he asked A’ishah about (eating) onion, thereupon she said: Indeed, the last (dish of) food which the Messenger of Allah "Allah's blessing and peace be upon him" ate (before his death) was cooked with onion.

[42] What About Dates?

3830- It is narrated on the authority of Yusuf Ibn Abdullah Ibn Salam that he said: I saw the Messenger of Allah "Allah's blessing and peace be upon him" having picked a fragment of parley bread, over which he placed a date and then said: “This (date) is fitting as condiment for that (piece of parley bread).”

3825 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ، قال: حدَّثنا يَحْيَى، عن عُبَيْدِ اللَّهِ، عن نَافِعٍ، عن ابْنِ عُمَرَ أَنَّ النَّبِيَّ ﷺ قَالَ: «**مَنْ أَكَلَ مِنْ هَذِهِ الشَّجَرَةِ فَلاَ يَقْرَبَنَّ الْمَسَاجِدَ**».

3826 ـ حدّثنا شَيْبَانُ بنُ فَرُّوخٍ، قال: أخبرنا أَبُو هِلاَلٍ، قال: أخبرنا حُمَيْدُ بنُ هِلاَلٍ، عن أَبِي بُرْدَةَ، عن الْمُغِيرَةِ بنِ شُعْبَةَ قال: أَكَلْتُ ثُومًا فَأَتَيْتُ مُصَلَّى النَّبِيِّ ﷺ وَقَدْ سُبِقْتُ بِرَكْعَةٍ، فَلَمَّا دَخَلْتُ الْمَسْجِدَ وَجَدَ النَّبِيُّ ﷺ رِيحَ الثُّومِ، فَلَمَّا قَضَى رَسُولُ اللَّهِ ﷺ صَلاَتَهُ قال: «**مَنْ أَكَلَ مِنْ هَذِهِ الشَّجَرَةِ فَلاَ يَقْرَبْنَا حَتَّى يَذْهَبَ رِيحُهَا أَوْ رِيحُهُ**»، فَلَمَّا قُضِيَتِ الصَّلاَةُ جِئْتُ إِلَى رَسُولِ اللَّهِ ﷺ فَقُلْتُ: يَا رَسُولَ اللَّهِ وَاللَّهِ لَتُعْطِيَنِّي يَدَكَ. قال: فَأَدْخَلْتُ يَدَهُ فِي كُمِّ قَمِيصِي إِلَى صَدْرِي فَإِذَا أَنَا مَعْصُوبُ الصَّدْرِ. قال: «**إِنَّ لَكَ عُذْرًا**».

3827 ـ حدّثنا عَبَّاسُ بنُ عَبْدِ الْعَظِيمِ، قال: حدَّثنا أَبُو عَامِرٍ عَبْدُ الْمَلِكِ بنُ عَمْرٍو، قال: حدَّثنا خَالِدُ بنُ مَيْسَرَةَ ـ يَعْنِي الْعَطَّارَ ـ، عن مُعَاوِيَةَ بنِ قُرَّةَ، عن أَبِيهِ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ هَاتَيْنِ الشَّجَرَتَيْنِ وَقَالَ: «**مَنْ أَكَلَهُمَا فَلاَ يَقْرَبَنَّ مَسْجِدَنَا**»، وَقَالَ: «**إِنْ كُنْتُمْ لاَ بُدَّ آكِلِيهِمَا فَأَمِيتُوهُمَا طَبْخًا**» قال: يَعْنِي الْبَصَلَ وَالثُّومَ.

3828 ـ حدّثنا مُسَدَّدٌ، قال: حدَّثنا الْجَرَّاحُ أَبُو وَكِيعٍ، عن أَبِي إِسْحَاقَ، عن شَرِيكٍ، عن عَلِيٍّ عليه السلام قال: «نُهِيَ عَنْ أَكْلِ الثُّومِ إِلاَّ مَطْبُوخًا».

قال أَبُو دَاوُدَ: شَرِيكُ بنُ حَنْبَلٍ.

3829 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى، قال: حدثنا. (ح)، وحدَّثنا حَيْوَةُ بنُ شُرَيْحٍ، قال: أخبرنا بَقِيَّةُ، عن بَحِيرٍ، عن خَالِدٍ، عن أَبِي زِيَادٍ خِيَارِ بنِ سَلَمَةَ: «أَنَّهُ سَأَلَ عَائِشَةَ عَنِ الْبَصَلِ فَقَالَتْ: إِنَّ آخِرَ طَعَامٍ أَكَلَهُ رَسُولُ اللَّهِ ﷺ طَعَامٌ فِيهِ بَصَلٌ».

[ت42/م41] ـ باب في التمر

3830 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ: حدَّثنا عُمَرُ بنُ حَفْصٍ: حدَّثنا أَبِي، عن مُحَمَّدِ بنِ أَبِي يَزِيدَ الأَعْوَرِ، عن يُوسُفَ بنِ عَبْدِ اللَّهِ بنِ سَلاَمٍ قال: رَأَيْتُ النَّبِيَّ ﷺ أَخَذَ كِسْرَةً مِنْ خُبْزِ شَعِيرٍ، فَوَضَعَ عَلَيْهَا تَمْرَةً وَقَالَ: «**هَذِهِ إِدَامُ هَذِهِ**».

3831- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The house in which there are no dates, has its inhabitants (vulnerable to) hunger" (for dates constituted the main source therewith they used to sustain themselves).

[43] Checking The Dates That Have Mites On Eating

3832- It is narrated on the authority of Anas Ibn Malik that he said: Once, old dates were brought to the Messenger of Allah "Allah's blessing and peace be upon him", who went on checking them, and taking out mites.

3833- It is narrated on the authority of Ishaq Ibn Abdullah Ibn Abu Talhah that sometimes, dates with mites were brought to the Messenger of Allah "Allah's blessing and peace be upon him"...and the rest is the same.

[44] What About Combining Two Dates On Eating In Congregation?

3834- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade that you should combine two dates on eating in congregation unless you take the permission of your companions (sharing food with you).

[45] Combining Two Kinds Of Food On Eating

3835- It is narrated on the authority of Ja'far Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" used to eat snake-cucumber with fresh dates.

3836- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" used to eat watermelon with fresh dates, saying: "Let's dilute the heat of the (dates) with the cold of this (watermelon), as well as the cold of this (watermelon) with the heat of the (dates)."

3837- It is narrated on the authority of Sulaim Ibn Amir that the two sons of Busr (i.e. Atiyyah and Abdullah), belonging to Sulaim told him: The Messenger of Allah "Allah's blessing and peace be upon him" came to visit us, and we served butter mixed with dates, and he used to love butter mixed with dates.

[46] What About Eating In The Containers Of These Of Scripture?

3838- It is narrated on the authority of Jabir that he said: We used to take part in the holy battles with the Messenger of Allah "Allah's blessing and peace be upon him", and get from the utensils and water-skins of the

3831 ـ حدّثنا الْوَلِيدُ بنُ عُتْبَةَ، قالَ: حدَّثنا مَرْوَانُ بنُ مُحَمَّدٍ، قالَ: حدَّثنا سُلَيْمَانُ بنُ بِلاَلٍ، قالَ: حدَّثني هِشَامُ بنُ عُرْوَةَ، عنْ أَبيهِ، عنْ عَائِشَةَ قَالَتْ: قَالَ النَّبِيُّ ﷺ: «**بَيْتٌ لاَ تَمْرَ فِيهِ جِيَاعٌ أَهْلُهُ**».

[ت43/م42] ـ باب في تفتيش التمر المسوس عند الأكل

3832 ـ حدّثنا مُحَمَّدُ بنُ عَمْرِو بنِ جَبَلَةَ، قالَ: حدَّثنا سَلْمُ بنُ قُتَيْبَةَ أَبُو قُتَيْبَةَ، عنْ هَمَّامٍ، عنْ إِسْحَاقَ بنِ عَبْدِ اللَّهِ بنِ أَبِي طَلْحَةَ، عنْ أَنَسِ بنِ مَالِكٍ قالَ: «أُتِيَ النَّبِيُّ ﷺ بِتَمْرٍ عَتِيقٍ فَجَعَلَ يُفَتِّشُهُ يُخرِجُ السُّوسَ مِنْهُ».

3833 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ، قالَ: حدَّثنا هَمَّامٌ، عنْ إِسْحَاقَ بنِ عَبْدِ اللَّهِ بنِ أَبِي طَلْحَةَ: «أَنَّ النَّبِيَّ ﷺ كَانَ يُؤْتَى بالتَّمْرِ فِيهِ دُودٌ» فَذَكَر مَعْنَاهُ.

[ت44/م43] ـ باب الإقران في التمر عند الأكل

3834 ـ حدّثنا وَاصِلُ بنُ عَبْدِ الأَعْلَى، قالَ: حدثنا ابنُ فُضَيْلٍ، عنْ أَبِي إِسْحَاقَ عن جَبَلَةَ بنِ سُحَيْمٍ، عن ابنِ عُمَرَ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ عن الإِقْرَانِ إِلاَّ أَنْ تَسْتَأْذِنَ أَصْحَابَكَ».

[ت45/م44] ـ باب في الجمع بين لونين في الأكل

3835 ـ حدّثنا حَفْصُ بنُ عُمَرَ النَّمَرِيُّ، قالَ: حدَّثنا إِبْرَاهِيمُ بنُ سَعْدٍ، عنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ بنِ جَعْفَرٍ: «أَنَّ النَّبِيَّ ﷺ كَانَ يَأْكُلُ الْقِثَّاءَ بالرُّطَبِ».

3836 ـ حدّثنا سَعِيدُ بنُ نُصَيْرٍ: حدَّثنا أَبُو أُسَامَةَ: حدَّثنا هِشَامُ بنُ عُرْوَةَ، عن أَبِيهِ، عَنْ عَائِشَةَ رضي الله عنها قالَتْ: كَانَ رَسُولُ اللَّهِ ﷺ يَأْكُلُ الْبِطِّيخَ بالرُّطَبِ فَيَقُولُ: «**نَكْسِرُ حَرَّ هَذَا بِبَرْدِ هَذَا، وَبَرْدَ هَذَا بِحَرِّ هَذَا**».

3837 ـ حدّثنا مُحَمَّدُ بنُ الْوَزِيرِ: حدَّثنا الْوَلِيدُ بنُ مَزْيَدَ، قالَ: سَمِعْتُ ابنَ جَابِرٍ قالَ: حدثني سُلَيْمُ بنُ عَامِرٍ، عن ابْنَيْ بُسْرٍ السُّلَمِيِّيْنِ قالاَ: «دَخَلَ عَلَيْنَا رَسُولُ اللَّهِ ﷺ فَقَدَّمْنَا زُبْدًا وَتَمْرًا، وَكَانَ يُحِبُّ الزُّبْدَ وَالتَّمْرَ».

[ت46/م45] ـ باب الأكل في آنية أهل الكتاب

3838 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، قالَ: حدَّثنا عَبْدُ الأَعْلَى وَإِسْمَاعِيلُ، عنْ بُرْدِ بنِ سِنَانٍ، عنْ عَطَاءٍ، عن جَابِرٍ قالَ: «كُنَّا نَغْزُو مَعَ رَسُولِ اللَّهِ ﷺ فَنُصِيبُ مِنْ آنِيَةِ

pagans, of which we would make use (in our food and drink), and he (the Prophet) never criticized us for doing so.

3839- It is narrated on the authority of Abu Tha'labah Al-Khushani that he asked the Messenger of Allah "Allah's blessing and peace be upon him" saying: "We live side by side with the people of Scripture, and they cook (the flesh of) swine in their vessels, and drink wine in their utensils (how should we use their utensils and vessels?)" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "If you find (vessels and utensils) other than theirs, it'd be better to eat and drink in them; and in case you find none other than theirs, then, wash these (of the people of Scripture) with water, and then eat and drink in them."

[47] What About The Sea Animals?

3840- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" sent us (on an expedition) under the leadership of Abu Ubaidah so that we might intercept a caravan of Quraish, and he (The Prophet) provided us with a bag of dates. And he found for us nothing besides it. Abu Ubaidah gave each of us a single date (every day). We sucked it just as a baby sucks and then drank water over it, and it sufficed us for the day until night. We beat off leaves with the help of our staffs, then drenched them with water and ate them. We then went to the coast of the sea, and there rose before us on the coast of the sea something like a big mound. We came near that and we found that it was a beast, called Al-Anbar (spermaceti whale). Abu Ubaidah said: "It is dead." He then said: "No (but it does not matter), we have been sent by the Messenger of Allah "Allah's blessing and peace be upon him" in the way of Allah and you are hard pressed (on account of the scarcity of food), so you might eat that." We, three hundred in number, stayed there eating from it for a month, until we grew bulky. When we came back to Medina, we went to The Messenger of Allah "Allah's blessing and peace be upon him" and mentioned that to him, whereupon he said: "That was a provision which Allah had brought forth for you. Is there any piece of meat (left) with you, so that you would give it to us?" He (Jabir) said: We sent to The Messenger of Allah "Allah's blessing and peace be upon him" some of it, which he ate.

[48] When A Mouse Falls Into The Ghee

3841- It is narrated on the authority of Ibn Abbas that Maimunah reported that once, a mouse fell into the ghee, and when a mention of that was made to the Messenger of Allah "Allah's blessing and peace be upon

الْمُشْرِكِينَ وَأَسْقِيَتِهِمْ، فَنَسْتَمْتِعُ بِهَا فَلاَ يَعِيبُ ذَلِكَ عَلَيْهِمْ».

3839 ـ حدّثنا نَصْرُ بنُ عَاصِمٍ: أخبرنا مُحَمَّدُ بنُ شُعَيْبٍ، قال: أنبأنا عَبْدُ اللَّهِ بنُ الْعَلاَءِ بنِ زَبْرٍ، عن أَبِي عُبَيْدِ اللَّهِ مُسْلِمِ بنِ مِشْكَمٍ، عن أَبِي ثَعْلَبَةَ الْخُشَنِيِّ أَنَّهُ سَأَلَ رَسُولَ اللَّهِ ﷺ قال: إِنَّا نُجَاوِرُ أَهْلَ الْكِتَابِ وَهُمْ يَطْبُخُونَ فِي قُدُورِهِمُ الْخِنْزِيرَ وَيَشْرَبُونَ فِي آنِيَتِهِمُ الْخَمْرَ، فقالَ رَسُولُ اللَّهِ ﷺ: **«إِنْ وَجَدْتُمْ غَيْرَهَا فَكُلُوا فِيهَا وَاشْرَبُوا، وَإِنْ لَمْ تَجِدُوا غَيْرَهَا فَارْحَضُوهَا بِالْمَاءِ وَكُلُوا وَاشْرَبُوا»**.

[ت47/م46] ـ باب في دوابِّ البحر

3840 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ، قالَ: حدَّثنا زُهَيْرٌ: حدَّثنا أَبُو الزُّبَيْرِ، عن جابِرٍ قال: «بَعَثَنَا رَسُولُ اللَّهِ ﷺ وَأَمَّرَ عَلَيْنَا أَبَا عُبَيْدَةَ بنَ الْجَرَّاحِ نَتَلَقَّى عِيرًا لِقُرَيْشٍ وَزَوَّدَنا جِرَابًا مِنْ تَمْرٍ لَمْ نَجِدْ لَهُ غَيْرَهُ، فَكَانَ أَبُو عُبَيْدَةَ بنُ الْجَرَّاحِ يُعْطِينَا تَمْرَةً تَمْرَةً كُنَّا نَمُصُّهَا كَمَا يَمُصُّ الصَّبِيُّ، ثُمَّ نَشْرَبُ عَلَيْهَا مِنَ الْمَاءِ فَتَكْفِينَا يَوْمَنَا إِلَى اللَّيْلِ، وَكُنَّا نَضْرِبُ بِعِصِيِّنَا الْخَبَطَ، ثُمَّ نَبُلُّهُ بالمَاءِ فَنَأْكُلُهُ.

قالَ: وَانْطَلَقْنَا عَلَى سَاحِلِ الْبَحْرِ، فَرُفِعَ لَنَا كَهَيْئَةِ الْكَثِيبِ الضَّخْمِ، فَأَتَيْنَا فَإِذَا هُوَ دَابَّةٌ تُدْعَى الْعَنْبَرَةَ. فَقَالَ أَبُو عُبَيْدَةَ: مَيْتَةٌ وَلاَ تَحِلُّ لَنَا، ثُمَّ قَالَ: لاَ بَلْ نَحْنُ رُسُلُ رَسُولِ اللَّهِ ﷺ وَفِي سَبِيلِ اللَّهِ وَقَدِ اضْطُرِرْتُمْ إِلَيْهِ فَكُلُوا، فَأَقَمْنَا عَلَيْهِ شَهْرًا وَنَحْنُ ثَلاَثُمِائَةٍ حَتَّى سَمِنَّا، فَلَمَّا قَدِمْنَا إِلَى رَسُولِ اللَّهِ ﷺ ذَكَرْنَا ذَلِكَ لَهُ، فَقَالَ: **«هُوَ رِزْقٌ أَخْرَجَهُ اللَّهُ لَكُمْ، فَهَلْ مَعَكُمْ مِنْ لَحْمِهِ شَيْءٌ فَتُطْعِمُونَا مِنْهُ؟»** فَأَرْسَلْنَا مِنْهُ إِلَى رَسُولِ اللَّهِ ﷺ فَأَكَلَ».

[ت48/م47] ـ باب في الفأرة تقع في السَّمْن

3841 ـ حدّثنا مُسَدَّدٌ، قال: حدَّثنا سُفْيَانُ، قال: حدَّثنا الزُّهْرِيُّ، عن عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ، عن ابنِ عَبَّاسٍ، عن مَيْمُونَةَ: أَنَّ فَأْرَةً وَقَعَتْ فِي سَمْنٍ فَأُخْبِرَ النَّبِيُّ ﷺ

him" he said: “Throw away what is surrounding it (the mouse, in case the ghee is solid), and then eat.”

3842- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “When a mouse falls into the ghee, then, throw away what is surrounding it, and eat (the remaining) in case it (the ghee) is solid, and do not approach it in case it (the ghee) is liquid (for the whole of it becomes filthy).”

(...) The same is narrated on the authority of Ibn Abbas from Maimunah from the Messenger of Allah "Allah's blessing and peace be upon him".

3843- A Hadith like this is narrated on the authority of Ibn Abbas from Maimunah from the Messenger of Allah "Allah's blessing and peace be upon him".

[49] When a Fly Falls Into The Food

3844- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: “If a fly falls into the utensil of (anyone of) you, let him dip it in it, and then throw it away; for indeed, it (the fly) has the disease in one of its wings, and its treatment in the other; and it falls with the wing of poison first, and then (that of) treatment: so, let him dip the whole of it (in the utensil).”

[50] When A Morsel Falls Down

3845- It is narrated on the authority of Anas Ibn Malik that he said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" ate, he would lick his three fingers, and say: “If a morsel falls from anyone of you, let him remove the dirt from it, and then eat it, and let not him leave it to Satan (to eat).” He further commanded us to sweep the bowl (in pursue of whatever food remains in it) saying: “Indeed, anyone of you does not know in which (portion of) his food he is blessed.”

[51] A Servant Could Eat With His Master

3846- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “When the servant of anyone among you prepares food for him and serves it after having sat close to (and endured the hardship of) its heat and smoke, he should make him (the servant) sit along with him and make him eat (along with him), and if the food seems to run short, then he should spare a portion for him (from his own share), a morsel or two.”

فَقَالَ: «**أَلْقُوا مَا حَوْلَهَا وَكُلُوا**».

3842 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ وَالْحَسَنُ بنُ عَلِيٍّ ـ وَاللَّفْظُ لِلْحَسَنِ ـ قالاَ: أخبرنا عَبْدُ الرَّزَّاقِ: أخبرنا مَعْمَرٌ، عن الزُّهْرِيِّ، عن سَعِيدِ بنِ الْمُسَيَّبِ، عن أَبِي هُرَيْرَةَ قال: قال رَسُولُ اللَّهِ ﷺ: «**إِذَا وَقَعَتِ الْفَأْرَةُ فِي السَّمْنِ، فَإِنْ كَانَ جَامِدًا فَأَلْقُوهَا وَمَا حَوْلَهَا، وَإِنْ كَانَ مَائِعًا فَلاَ تَقْرَبُوهُ**».

قال الْحَسَنُ: قال عَبْدُ الرَّزَّاقِ: وَرُبَّمَا حَدَّثَ بِهِ مَعْمَرٌ، عن الزُّهْرِيِّ، عن عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ، عن ابنِ عَبَّاسٍ، عن مَيْمُونَةَ، عن النَّبِيِّ ﷺ.

3843 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا عَبْدُ الرَّزَّاقِ، قال: أخبرنا عَبْدُ الرَّحْمَنِ بنُ بُوذَيْهِ، عن مَعْمَرٍ، عن الزُّهْرِيِّ، عن عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ، عن ابنِ عَبَّاسٍ، عن مَيْمُونَةَ، عن النَّبِيِّ ﷺ بِمِثْلِ حَدِيثِ الزُّهْرِيِّ، عن ابنِ الْمُسَيَّبِ.

[ت49/م48] ـ باب في الذُّباب يقع في الطعام

3844 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ، قال: حدَّثنا بِشْرٌ ـ يَعْنِي ابنَ الْمُفَضَّلِ ـ، عن ابنِ عَجْلاَنَ، عن سَعِيدٍ الْمَقْبُرِيِّ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا وَقَعَ الذُّبَابُ فِي إِنَاءِ أَحَدِكُمْ فَامْقُلُوهُ، فَإِنَّ فِي أَحَدِ جَنَاحَيْهِ دَاءً وَفِي الآخَرِ شِفَاءً، وَإِنَّهُ يَتَّقِي بِجَنَاحِهِ الَّذِي فِيهِ الدَّاءُ، فَلْيَغْمِسْهُ كُلَّهُ**».

[ت50/م49] ـ باب في اللقمة تسقط

3845 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قال: حدَّثنا حَمَّادٌ، عن ثَابِتٍ، عن أَنَسِ بنِ مَالِكٍ: أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ إِذَا أَكَلَ طَعَامًا لَعِقَ أَصَابِعَهُ الثَّلاَثَ وَقَالَ: «**إِذَا سَقَطَتْ لُقْمَةُ أَحَدِكُمْ فَلْيُمِطْ عَنْهَا الأَذَى وَلْيَأْكُلْهَا وَلاَ يَدَعْهَا لِلشَّيْطَانِ**» وكان إذا أَكَلَ طَعَاماً لعِقَ أَصَابِعَهُ الثَّلاث، وَأَمَرَنَا أَنْ نَسْلُتَ الصَّحْفَةَ، وَقَالَ: «**إِنَّ أَحَدَكُمْ لاَ يَدْرِي فِي أَيِّ طَعَامِهِ يُبَارَكُ لَهُ**».

[ت51/م50] ـ باب في الخادم يأكل مع المولى

3846 ـ حدّثنا الْقَعْنَبِيُّ، قالَ: حدَّثنا دَاوُدُ بنُ قَيْسٍ، عن مُوسَى بنِ يَسَارٍ، عن أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا صَنَعَ لأَحَدِكُمْ خَادِمُهُ طَعَامًا ثُمَّ جَاءَهُ بِهِ وَقَدْ وَلِيَ حَرَّهُ وَدُخَانَهُ، فَلْيُقْعِدْهُ مَعَهُ، وَلْيَأْكُلْ فَإِنْ كَانَ الطَّعَامُ مَشْفُوهًا ـ يعني قليلاً ـ فَلْيَضَعْ فِي يَدِهِ مِنْهُ أَكْلَةً أَوْ أَكْلَتَيْنِ**».

[52] What About The Handkerchief?

3847- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you eats, let not him sweep his hand with the help of the handkerchief until he licks or makes anyone lick it."

3848- It is narrated on the authority of Ka'b Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" used to eat with three fingers, and he would not sweep his hand until he has licked it.

[53] What One Says When He Finishes From Having Food

3849- It is narrated on the authority of Abu Umamah Al-Bahili that whenever the repast was lifted from the front of the Messenger of Allah "Allah's blessing and peace be upon him" (after finishing from it), he would say: "Praise be to Allah, our Lord, as much, pleasant, permanently constant, blessed, as it could be, with which none could dispense nor could he ever give as it should be, nor could he leave."

3850- It is narrated on the authority of Abu Sa'id Al-Khudri that whenever the Messenger of Allah "Allah's blessing and peace be upon him" finished from having food, he would say: "Praise be to Allah, Who has caused us to eat, drink, and Who has made us subject to Him in Islam."

3851- It is narrated on the authority of Abu Ayyub Al-Ansari that he said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" ate or drank he would say: "Praise be to Allah, Who has caused us to eat, drink, and made it easy for both (food and drink) to enter (into the body through the mouth) and come out (of it through urination and excretion)."

[54] Washing The Hand To Remove The Traces Of Food

3852- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone of you sleeps with the traces of fat in his hand, which he does not wash (off food), and then he is affected by anything (evil), let not him blame but himself."

[55] The Invocation For The Food's Lord On Eating In His House

3853- It is narrated on the authority of Jabir Ibn Abdullah that he said: Abu Al-Haitham At-Taihan prepared food for the Messenger of Allah "Allah's blessing and peace be upon him", and he invited the Messenger of Allah "Allah's blessing and peace be upon him" and his companions. When

[ت52/م51] ـ باب في المنديل

3847 ـ حدّثنا مُسَدَّدٌ، قالَ: حدَّثنا يَحْيَى، عن ابنِ جُرَيْجٍ، عنْ عَطَاءٍ، عن ابنِ عَبَّاسٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا أَكَلَ أَحَدُكُمْ فَلاَ يَمْسَحَنَّ يَدَهُ بِالْمِنْدِيلِ حَتَّى يَلْعَقَهَا أَوْ يُلْعِقَهَا**».

3848 ـ حدّثنا النُّفَيْلِيُّ: حدَّثنا أَبُو مُعَاوِيَةَ، عنْ هِشَامِ بنِ عُرْوَةَ، عن عَبْدِ الرَّحمَنِ بنِ سَعْدٍ، عن ابنِ كَعْبِ بنِ مَالِكٍ، عن أَبِيهِ: «أَنَّ النَّبِيَّ ﷺ كَانَ يَأْكُلُ بِثَلاَثِ أَصَابِعَ وَلاَ يَمْسَحُ يَدَهُ حَتَّى يَلْعَقَهَا».

[ت53/م52] ـ باب ما يقول الرجل إذا طَعِم

3849 ـ حدّثنا مُسَدَّدٌ، قالَ: حدَّثنا يَحْيَى، عن ثَوْرٍ، عنْ خَالِدِ بنِ مَعْدَانَ، عنْ أَبِي أُمَامَةَ قالَ: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا رُفِعَتِ المَائِدَةُ قالَ: «**الْحَمْدُ لِلَّهِ حمدًا كَثِيرًا طَيِّبًا مُبَارَكًا فِيهِ غَيْرَ مَكْفِيٍّ وَلاَ مُوَدَّعٍ وَلاَ مُسْتَغْنًى عَنْهُ رَبَّنَا**».

3850 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ، قالَ: حدَّثنا وَكِيعٌ، عنْ سُفْيَانَ، عنْ أَبِي هَاشِمٍ الْوَاسِطِيِّ، عَنْ إِسْمَاعِيلَ بنِ رَبَاحٍ، عَنْ أَبِيهِ أَوْ غَيْرِهِ، عنْ أَبِي سَعِيدٍ الْخُدْرِيِّ أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ إِذَا فَرَغَ مِنْ طَعَامِهِ قَالَ: «**الْحَمْدُ لِلَّهِ الَّذِي أَطْعَمَنَا وَسَقَانَا وَجَعَلَنَا مُسْلِمِينَ**».

3851 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ، قالَ: حدثنا ابنُ وَهْبٍ، قالَ: أخبرني سَعِيدُ بنُ أَبِي أَيُّوبَ، عن أَبِي عَقِيلٍ الْقُرَشِيِّ، عنْ أَبِي عَبْدِ الرَّحْمَنِ الْحُبُلِيِّ عن أَبِي أَيُّوبَ الأَنْصَارِيِّ قالَ: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا أَكَلَ أَوْ شَرِبَ قَالَ: «**الْحَمْدُ لِلَّهِ الَّذِي أَطْعَمَ وَسَقَى وَسَوَّغَهُ وَجَعَلَ لَهُ مَخْرَجًا**».

[ت54/م53] ـ باب في غَسْل اليد من الطعام

3852 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ، قالَ: حدَّثنا زُهَيْرٌ، قالَ: حدَّثنا سُهَيْلُ بنُ أَبِي صَالِحٍ، عنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ نَامَ وَفِي يَدِهِ غَمَرٌ وَلَمْ يَغْسِلْهُ فَأَصَابَهُ شَيْءٌ فَلاَ يَلُومَنَّ إِلاَّ نَفْسَهُ**».

[ت55/م54] ـ باب ما جاء في الدُّعاء لرب الطعام إذا أكل عنده

3853 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ: حدَّثنا أَبُو أَحْمَدَ، قال: حدَّثنا سُفْيَانُ، عن يَزِيدَ أَبِي خَالِدٍ الدَّالاَنِيِّ، عن رَجُلٍ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: صَنَعَ أَبُو الْهَيْثَمِ بنُ التَّيِّهَانِ لِلنَّبِيِّ ﷺ طَعَامًا، فَدَعَا النَّبِيَّ ﷺ وَأَصْحَابَهُ، فَلَمَّا فَرَغُوا قال: «**أَثِيبُوا**

they finished (from food) he (the Prophet) said (to his companions): “Reward your brother!” they asked: “O Messenger of Allah! How should he be rewarded?” he said: “If a people enter into one’s house, eat from his food, and drink from his drink, and then invoke good upon him, this will be his reward.”

3854- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" went to visit Sa’d Ibn Ubadah who served him with bread and oil, and he ate. Then the Messenger of Allah "Allah's blessing and peace be upon him" said: “Let (Allah help you) have the fasting persons break their fasts in your house, the righteous men eat of your food, and let Allah direct the angels (to invoke good) upon you.”

أَخَاكُمْ». قَالُوا: يَا رَسُولَ اللَّهِ وَمَا إِثَابَتُهُ؟ قال: «**إِنَّ الرَّجُلَ إِذَا دُخِلَ بَيْتُهُ وَأُكِلَ طَعَامُهُ وَشُرِبَ شَرَابُهُ فَدَعَوْا لَهُ فَذَلِكَ إِثَابَتُهُ**».

3854 ـ حدّثنا مَخْلَدُ بنُ خَالِدٍ، قال: حدَّثنا عَبْدُ الرَّزَّاقِ، قالَ: حدَّثنا مَعْمَرٌ، عن ثَابِتٍ، عن أَنَسٍ: أَنَّ النَّبِيَّ ﷺ جَاءَ إِلَى سَعْدِ بنِ عُبَادَةَ فَجَاءَ بِخُبْزٍ وَزَيْتٍ فَأَكَلَ، ثُمَّ قَالَ النَّبِيُّ ﷺ: «**أَفْطَرَ عِنْدَكُمُ الصَّائِمُونَ، وَأَكَلَ طَعَامَكُمُ الأَبْرَارُ، وَصَلَّتْ عَلَيْكُمُ المَلاَئِكَةُ**».

(22/27) THE BOOK OF MEDICINE

[1] One Should Take Medicine

3855- It is narrated on the authority of Usamah Ibn Sharik that he said: I went to the Messenger of Allah "Allah's blessing and peace be upon him", and (he was sitting with) his companions, who were as motionless as if birds were on their heads. I saluted, and then sat down. The desert dwellers came from here and there, and said: “O Messenger of Allah! Should we take medicine?” he said: “You should take medicine, O Allah’s servants, for Allah has never created an ailment but that He has created its treatment, barring the old age.”

[2] What About The Diet

3856- It is narrated on the authority of Umm Al-Mundhir Bint Qais Al-Ansariyyah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" came to visit us in the company of Ali Ibn Abu Talib, and Ali was still during the period of convalescence from a sickness (he suffered a lot). At the same time, we had hung bunches (of dates), from which the Messenger of Allah "Allah's blessing and peace be upon him" ate. Ali picked up some to eat, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: “Stop O Ali! You are still in the period of recovery.” She further said: I then prepared Silq mixed with parley for the Messenger of Allah "Allah's blessing and peace be upon him". Then, the Messenger of Allah "Allah's blessing and peace be upon him" said to Ali: “Get of that, since it is more beneficial for you.”

[3] What About Cupping?

3857- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “If there is good in anything of your medicines, it is in cupping.”

3858- It is narrated on the authority of Salma, the servant-maid of the Messenger of Allah "Allah's blessing and peace be upon him", that she said: None came and complained of headache to the Messenger of Allah "Allah's blessing and peace be upon him" but that he ordered him to get himself cupped, nor (did anyone come to him and complain) of pain in his feet but that he ordered him to dye them (with henna).

[4] The Places Of The Body On Which Cupping Is Operated

3859- It is narrated on the authority of Abu Kabshah Al-Anmari that he told that the Messenger of Allah "Allah's blessing and peace be upon him"

[27/22] ـ كتاب الطِّبِّ

[ت1/م1] ـ بَابٌ في الرَّجُلِ يَتَدَاوَى

3855 ـ حدّثنا حَفْصُ بنُ عُمَرَ النَّمَرِيُّ: حدَّثنا شُعْبَةُ، عن زِيَادِ بنِ عِلاَقَةَ، عن أُسَامَةَ بنِ شَرِيكٍ قَالَ: أَتَيْتُ النَّبِيَّ ﷺ، وَأَصْحَابُهُ كَأَنَّمَا عَلَى رُؤُوسِهِمُ الطَّيْرُ، فَسَلَّمْتُ ثُمَّ قَعَدْتُ. فَجَاءَ الأَعْرَابُ مِنْ هٰهُنَا وَهٰهُنَا، فَقَالُوا: يَا رَسُولَ اللَّهِ، أَنَتَدَاوَى؟ فَقَالَ: «**تَدَاوَوْا، فَإِنَّ اللَّهَ تَعَالَى لَمْ يَضَعْ دَاءً إِلاَّ وَضَعَ لَهُ دَوَاءً، غَيْرَ دَاءٍ وَاحِدٍ: الْهَرَمُ**».

[ت2/م2] ـ بَابٌ في الحِمْيَةِ

3856 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ، قالَ: حدَّثنا أَبُو دَاوُدَ وَأَبُو عَامِرٍ، وَهَذَا لَفْظُ أَبِي عَامِرٍ، عن فُلَيْحِ بنِ سُلَيْمَانَ، عن أَيُّوبَ بنِ عَبْدِ الرَّحْمَنِ بنِ صَعْصَعَةَ الأَنْصَارِيِّ، عنْ يَعْقُوبَ بنِ أَبِي يَعْقُوبَ، عن أُمِّ المُنْذِرِ بِنْتِ قَيْسٍ الأَنْصَارِيَّةِ قالَتْ: دَخَلَ عَلَيَّ رَسُولُ اللَّهِ ﷺ وَمَعَهُ عَلِيٌّ عليه السلام، وَعَلِيٌّ نَاقِهٌ، وَلَنَا دَوَالِي مُعَلَّقَةٌ. فَقَامَ رَسُولُ اللَّهِ ﷺ يَأْكُلُ مِنْهَا، وَقَامَ عَلِيٌّ لِيَأْكُلَ. فَطَفِقَ رَسُولُ اللَّهِ ﷺ يَقُولُ لِعَلِيٍّ: «**مَهْ، إِنَّكَ نَاقِهٌ**» حَتَّى كَفَّ عَلِيٌّ عليه السلام. قالَتْ: وَصَنَعْتُ شَعِيرًا وَسِلْقًا، فَجِئْتُ بِهِ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «**يَا عَلِيُّ، أَصِبْ مِنْ هَذَا، فَهُوَ أَنْفَعُ لَكَ**».

قال أَبُو دَاوُدَ: قالَ هَارُونَ: قالَ أَبُو دَاوُدَ: الْعَدَوِيَّة.

[ت3/م3] ـ بَابٌ في الحِجَامَةِ

3857 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن مُحَمَّدِ بنِ عَمْرٍو، عنْ أَبِي سَلَمَةَ، عنْ أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**إِنْ كَانَ فِي شَيْءٍ مِمَّا تَدَاوَيْتُمْ بِهِ خَيْرٌ، فَالْحِجَامَةُ**».

3858 ـ حدّثنا مُحَمَّدُ بنُ الْوَزِيرِ الدِّمَشْقِيُّ: حدَّثنا يَحْيَى ـ يَعْنِي ابنَ حَسَّانَ ـ: حدَّثنا عَبْدُ الرَّحْمَنِ بنُ أَبِي المَوَالِي: أَخبرنا فَائِدٌ مَوْلَى عُبَيْدِ اللَّهِ بنِ عَلِيِّ بنِ أَبِي رَافِعٍ، عنْ مَوْلاَهُ عُبَيْدِ اللَّهِ بنِ عَلِيِّ بنِ أَبِي رَافِعٍ، عنْ جَدَّتِهِ سَلْمَى خَادِمِ رَسُولِ اللَّهِ ﷺ، قَالَتْ: مَا كَانَ أَحَدٌ يَشْتَكِي إِلَى رَسُولِ اللَّهِ ﷺ وَجَعًا فِي رَأْسِهِ، إِلاَّ قَالَ: «**احْتَجِمْ**»، وَلاَ وَجَعًا فِي رِجْلَيْهِ، إِلاَّ قالَ: «**اخْضِبْهُمَا**».

[ت4/م4] ـ بَابٌ ما جاء في مَوْضِعِ الحِجَامَةِ

3859 ـ حدّثنا عَبْدُ الرَّحْمَنِ بنُ إِبْرَاهِيمَ الدِّمَشْقِيُّ، وَكَثِيرُ بنُ عُبَيْدٍ قالاَ: حدَّثنا الْوَلِيدُ، عن ابنِ ثَوْبَانَ، عنْ أَبِيهِ، عنْ أَبِي كَبْشَةَ الأَنْمَارِيِّ، قالَ كَثِيرٌ: إِنَّهُ حَدَّثَهُ: أَنَّ النَّبِيَّ ﷺ كَانَ

got himself cupped in the top of his head, and in (the area) between his shoulders, and he said: “He, who causes blood to be shed of his body (from those places on account of cupping), no harm befalls him even though he gets no medicine for any (kind of diseases).”

3860- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped in his jugular veins and the upper part of his back thrice. Mu’ammar said: I got myself cupped (on the top of my head), and I fell unconscious to the extent that I came to be dictated the Opening of the Book during my prayer.

[5] When Is It Desirable To Operate Cupping?

3861- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: “He, who gets himself cupped when seventeen, nineteen, or twenty-one (nights elapse from the month), it will be more fitting for being a (cause of) treatment for every ailment.”

3862- It is narrated on the authority of Kabshah Bint Abu Bakrah that her father used to forbid his people to get themselves cupped on Tuesday, pretending that the Messenger of Allah "Allah's blessing and peace be upon him" said: “Tuesday is the day of blood, in which there is an hour, at which it (the bleeding) never stops.”

3863- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" got himself cupped on his hip, because of a sprain from which he was suffering.

[6] What About Cutting Off (And Cauterizing) The Vein

3864- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" sent a physician to Ubai Ibn Ka’b (who fell ill), and he cut off (and then cauterized him in his medial arm) vein.

[7] What About Cauterization?

3865- It is narrated on the authority of Imran Ibn Al-Husain that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade cauterization; and when we got ourselves cauterized, we have never come to be prosperous nor have we been successful (to cure ourselves with the help of cauterization).

يَحْتَجِمُ عَلَى هَامَتِهِ وَبَيْنَ كَتِفَيْهِ، وَهُوَ يَقُولُ: «**مَنْ أَهْرَاقَ مِنْ هَذِهِ الدِّمَاءِ، فَلاَ يَضُرُّهُ أَنْ لاَ يَتَدَاوَى بِشَيْءٍ لِشَيْءٍ**».

3860 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا جَرِيرٌ ـ يَعْنِي ابنَ حَازِمٍ ـ: أخبرنا قَتَادَةُ، عنْ أَنَسٍ: «أَنَّ النَّبِيَّ ﷺ احْتَجَمَ ثَلاَثًا فِي الأَخْدَعَيْنِ، وَالْكَاهِلِ».

قالَ مَعْمَرٌ: احْتَجَمْتُ، فَذَهَبَ عَقْلِي، حَتَّى كُنْتُ أُلَقَّنُ فَاتِحَةَ الْكِتَابِ فِي صَلاَتِي. وَكَانَ احْتَجَمَ عَلَى هَامَتِهِ.

[ت5/م5] ـ بَابٌ مَتَى تُسْتَحَبُّ الحِجَامَةُ

3861 ـ حدّثنا أَبُو تَوْبَةَ الرَّبِيعُ بنُ نَافِعٍ: حدَّثنا سَعِيدُ بنُ عَبْدِ الرَّحْمَنِ الْجُمَحِيُّ، عنْ سُهَيْلٍ، عنْ أَبِيهِ، عنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنِ احْتَجَمَ لِسَبْعَ عَشْرَةَ، وَتِسْعَ عَشْرَةَ، وَإِحْدَى وَعِشْرِينَ، كَانَ شِفَاءً مِنْ كُلِّ دَاءٍ**».

3862 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: أخبرني أَبُو بَكْرَةَ بَكَّارُ بنُ عَبْدِ الْعَزِيزِ: أَخبرتني عَمَّتِي كَبْشَةُ بِنْتُ أَبِي بَكْرَةَ ـ وَقَالَ: كَيْسَةُ بِنْتُ أَبِي بَكْرَةَ ـ: «أَنَّ أَبَاهَا كَانَ يَنْهَى أَهْلَهُ عَنِ الْحِجَامَةِ يَوْمَ الثُّلاَثَاءِ، وَيَزْعُمُ عَنْ رَسُولِ اللَّهِ ﷺ: أَنَّ يَوْمَ الثُّلاَثَاءِ يَوْمُ الدَّمِ، وَفِيهِ سَاعَةٌ لاَ يَرْقَأُ». قال أبو دَاوُدَ: غيرُ موسَى يقولُ: كَيِّسَة.

3863 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا هِشَامٌ، عنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ: «أَنَّ رَسُولَ اللَّهِ ﷺ احْتَجَمَ عَلَى وَرِكِهِ مِنْ وَثْءٍ كَانَ بِهِ».

[ت6/م6] ـ بابٌ في قَطْعِ العِرْقِ ومَوضِعِ الحَجْمِ

3864 ـ حدّثنا مُحَمَّدُ بنُ سُلَيْمَانَ الأَنْبَارِيُّ: حدَّثنا أَبُو مُعَاوِيَةَ، عَنْ الأَعْمَشِ، عنْ أَبِي سُفْيَانَ، عَنْ جَابِرٍ قالَ: «بَعَثَ النَّبِيُّ ﷺ إِلَى أُبَيٍّ طَبِيبًا، فَقَطَعَ مِنْهُ عِرْقًا».

[ت7/م7] ـ بابٌ في الكيِّ

3865 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عنْ ثَابِتٍ، عنْ مُطَرِّفٍ، عنْ عِمْرَانَ بنِ حُصَيْنٍ قالَ: «نَهَى النَّبِيُّ ﷺ عن الْكَيِّ، فَاكْتَوَيْنَا فَمَا أَفْلَحْنَا، وَلاَ أَنْجَحْنَا».

Abu Dawud says: It is said that he used to hear the salutation of the angels, and when he got himself cauterized, he lost that privilege; and when he abandoned cauterization, he regained it.

3866- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" cauterized Sa'd Ibn Mu'adh twice (in his medial arm vein).

[8] What About Sa'ut?

(The medicine that is sniffed by the nose)

3867- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" took medicine which he sniffed by his nose (i.e. he lay on his back, and poured the liquid medicine through his nostrils).

[9] What About Treating With The Help Of Charm?

3868- It is narrated on the authority of Jabir Ibn Abdullah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said when he was asked about treating with the help of charm: "It is of Satan's work."

[10] What About Theriaca?

3869- It is narrated on the authority of Abdullah Ibn Amr that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "I will have no care for whatever I'm going to do if I drink theriaca (antidote or antitoxin), hang an amulet, or compose poetry."

Abu Dawud says: This judgement was restricted to the Messenger of Allah "Allah's blessing and peace be upon him" in particular, and some people give concession pertaining to theriaca.

[11] The Undesirable Medicines

3870- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade taking the vile medicine (which contains what is unlawful).

3871- It is narrated on the authority of Abd Ar-Rahman Ibn Uthman that a physician asked the Messenger of Allah "Allah's blessing and peace be upon him" to use the frog in his medicine, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" forbade him to kill it (i.e. the forbiddance implies also its being used in medicine).

قال أَبُو دَاوُدَ: وَكَانَ يَسْمَعُ تَسْلِيمَ المَلائِكَةِ. فَلَمَّا اكْتَوَى، انْقَطَعَ عَنْهُ. فَلَمَّا تَرَكَ، رَجَعَ إِلَيْهِ.

3866 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عنْ أَبِي الزُّبَيْرِ، عن جَابِرٍ: «أَنَّ النَّبِيَّ ﷺ كَوَى سَعْدَ بنَ مُعَاذٍ مِنْ رَمِيَّتِهِ».

[ت8/م8] ـ باب في السَّعُوط والنُّشْرَةِ

3867 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا أَحْمَدُ بنُ إِسْحَاقَ: حدَّثنا وُهَيْبٌ، عَنْ عَبْدِ اللَّهِ بنِ طَاوُسٍ، عنْ أَبِيهِ، عن ابنِ عَبَّاسٍ: «أَنَّ رَسُولَ اللَّهِ ﷺ اسْتَعَطَ».

[ت9/م9] ـ باب في النُّشْرَة

3868 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا عَبْدُ الرَّزَّاقِ: أخبرنا عَقِيلُ بنُ مَعْقِلٍ، قالَ: سَمِعْتُ وَهْبَ بنَ مُنَبِّهٍ يُحَدِّثُ، عنْ جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: سُئِلَ رَسُولُ اللَّهِ ﷺ عَنِ النُّشْرَةِ، فَقَالَ: **«هُوَ مِنْ عَمَلِ الشَّيْطَانِ»**.

[ت10/م10] ـ باب في التِّرياق

3869 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ عُمَرَ بنِ مَيْسَرَةَ: حدَّثنا عَبْدُ اللَّهِ بنُ يَزِيدَ: حدَّثنا سَعِيدُ بنُ أَبِي أَيُّوبَ: حدَّثنا شُرَحْبِيلُ بنُ يَزِيدَ المَعَافِرِيُّ، عنْ عَبْدِ الرَّحْمَنِ بنِ رَافِعٍ التَّنُوخِيِّ قالَ: سَمِعْتُ عَبْدَ اللَّهِ بنَ عَمْرٍو يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«مَا أُبَالِي مَا أَتَيْتُ إِنْ أَنَا شَرِبْتُ تِرْيَاقًا، أَوْ تَعَلَّقْتُ تَمِيمَةً، أَوْ قُلْتُ الشِّعْرَ مِنْ قِبَلِ نَفْسِي»**.

قال أَبُو دَاوُدَ: هَذَا كَانَ لِلنَّبِيِّ ﷺ خَاصَةً. وَقَدْ رَخَّصَ فِيهِ قَوْمٌ ـ يَعْنِي: التِّرْيَاقَ ـ.

[ت11/م11] ـ باب في الأَدوية المكروهة

3870 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ: حدَّثنا مُحَمَّدُ بنُ بِشْرٍ: حدَّثنا يُونُسُ بنُ أَبِي إِسْحَاقَ، عنْ مُجَاهِدٍ، عنْ أَبِي هُرَيْرَةَ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ عَنِ الدَّوَاءِ الْخَبِيثِ».

3871 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُفْيَانُ، عن ابنِ أَبِي ذِئْبٍ، عنْ سَعِيدِ بنِ خَالِدٍ، عنْ سَعِيدِ بنِ المُسَيَّبِ، عنْ عَبْدِ الرَّحْمَنِ بنِ عُثْمَانَ: «أَنَّ طَبِيبًا سَأَلَ النَّبِيَّ ﷺ عنْ ضِفْدَعٍ يجْعَلُهَا فِي دَوَاءٍ، فَنَهَاهُ النَّبِيُّ ﷺ عَنْ قَتْلِهَا».

3872- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has a sip of poison, his poison will be in his hand, which he will drink in the fire of Hell, in which he will abide everlastingly."

3873- It is narrated on the authority of Wa'il that Tariq Ibn Suwaid (or Suwaid Ibn Tariq) asked The Messenger of Allah "Allah's blessing and peace be upon him" about wine. He forbade him to prepare it. He asked him once again, and he (the Prophet) gave the same forbiddance. He (Tariq) said: "O Messenger of Allah! I prepare it as a medical treatment." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No, it is no medicine, but it is an ailment."

3874- It is narrated on the authority of Abu Ad-Darda' that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah Almighty has created both diseases and medicines, and made medicine for every ailment: so, take medicine, but take nothing unlawful as medicine."

[12] What About Ajwah Dates?

(One of the best kinds of dates in Medina)

3875- It is narrated on the authority of Sa'd that he said: I fell severely ill, and the Messenger of Allah "Allah's blessing and peace be upon him" came to visit me and enquire about my health. He placed his hand in between my breasts and I detected the coolness of his hand over my heart. Then, he said to me: "You have a heart disease: come to Al-Harith Ibn Kaldah, the brother of Thaqif, for he is well-versed in medicine, and let him take seven dates of the Ajwah kind of Medina, crush them with their kernels (and mix them with water or ghee), and pour their liquid into your mouth."

3876- It is narrated on the authority of Amir Ibn Sa'd Ibn Abu Waqqas from his father from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "He, who takes in the morning seven Ajwah dates, no (evil of) poison nor magic would harm him on that very day."

[13] Pressing Upon The Tonsils By The Fingers

3877- It is narrated on the authority of Um Qais Bint Mihsan that she said: I went to The Messenger of Allah "Allah's blessing and peace be upon him" along with a son of mine whose palate and tonsils I had pressed with my finger as a treatment for tonsillitis. The Prophet "Allah's blessing and peace be upon him" said: "Why do you pain your children by pressing their throats! Use the Indian incense for it cures seven diseases, one of which is

3872 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا أَبُو مُعَاوِيَةَ: أَخبرنا الأَعْمَشُ، عن أَبِي صَالِحٍ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ حَسَا سَمًّا، فَسَمُّهُ فِي يَدِهِ يَتَحَسَّاهُ فِي نَارِ جَهَنَّمَ، خَالِدًا مُخَلَّدًا فِيهَا أَبَدًا**».

3873 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا شُعْبَةُ، عن سِمَاكٍ، عن عَلْقَمَةَ بنِ وَائِلٍ، عن أَبِيهِ، ذَكَرَ طَارِقَ بنَ سُوَيْدٍ، أَوْ سُوَيْدَ بنَ طَارِقٍ: سَأَلَ النَّبِيَّ ﷺ عن الْخَمْرِ، فَنَهَاهُ. ثُمَّ سَأَلَهُ، فَنَهَاهُ. فَقَالَ لَهُ: يَا نَبِيَّ اللَّهِ، إِنَّهَا دَوَاءٌ. قال النَّبِيُّ ﷺ: «**لاَ، وَلَكِنَّهَا دَاءٌ**».

3874 ـ حدّثنا مُحَمَّدُ بنُ عُبَادَةَ الْوَاسِطِيُّ: حدَّثنا يَزِيدُ بنُ هَارُونَ: أَخبرنا إِسْمَاعِيلُ بنُ عَيَّاشٍ، عن ثَعْلَبَةَ بنِ مُسْلِمٍ، عَنْ أَبِي عِمْرَانَ الأَنْصَارِيِّ، عَنْ أُمِّ الدَّرْدَاءِ، عَنْ أَبِي الدَّرْدَاءِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّ اللَّهَ تَعَالَى أَنْزَلَ الدَّاءَ وَالدَّوَاءَ، وَجَعَلَ لِكُلِّ داءٍ دَوَاءً، فَتَدَاوَوْا، وَلاَ تَتَدَاوَوْا بِحَرَامٍ**».

[ت12/م12] ـ بابٌ في تَمرةِ العَجوةِ

3875 ـ حدّثنا إِسْحَاقُ بنُ إِسْمَاعِيلَ: حدَّثنا سُفْيَانُ، عن ابنِ أَبِي نَجِيحٍ، عن مُجَاهِدٍ، عن سَعْدٍ قالَ: مَرِضْتُ مَرَضًا، أَتَانِي رَسُولُ اللَّهِ ﷺ يَعُودُنِي، فَوَضَعَ يَدَهُ بَيْنَ ثَدْيَيَّ، حَتَّى وَجَدْتُ بَرْدَهَا عَلَى فُؤَادِي، فَقَالَ: «**إِنَّكَ رَجُلٌ مَفْؤُودٌ، ائْتِ الْحَارِثَ بنَ كَلَدَةَ أَخَا ثَقِيفٍ، فَإِنَّهُ رَجُلٌ يَتَطَبَّبُ. فَلْيَأْخُذْ سَبْعَ تَمَرَاتٍ مِنْ عَجْوَةِ الْمَدِينَةِ، فَلْيَجأْهُنَّ بِنَوَاهُنَّ، ثُمَّ لِيَلُدَّكَ بِهِنَّ**».

3876 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا أَبُو أُسَامَةَ: حدَّثنا هَاشِمُ بنُ هَاشِمٍ، عن عَامِرِ بنِ سَعْدِ بنِ أَبِي وَقَّاصٍ، عن أَبِيهِ: أَنَّ النَّبِيَّ ﷺ قال: «**مَنْ تَصَبَّحَ بِسَبْعِ تَمَرَاتِ عَجْوَةٍ، لَمْ يَضُرَّهُ ذَلِكَ الْيَوْمَ سَمٌّ وَلاَ سِحْرٌ**».

[ت13/م13] ـ بابٌ في العِلاقِ

3877 ـ حدّثنا مُسَدَّدٌ وَحَامِدُ بنُ يَحْيَى قالاَ: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، عن عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ، عن أُمِّ قَيْسٍ بِنْتِ مِحْصَنٍ قالَتْ: دَخَلْتُ عَلَى رَسُولِ اللَّهِ ﷺ بِابْنٍ لِي، قَدْ أَعْلَقْتُ عَلَيْهِ مِنَ الْعُذْرَةِ، فَقَالَ: «**عَلامَ تَدْغَرْنَ أَوْلاَدَكُنَّ بِهَذَا الْعِلاَقِ؟ عَلَيْكُنَّ بِهَذَا الْعُودِ الْهِنْدِيِّ، فَإِنَّ فِيهِ سَبْعَةَ أَشْفِيَةٍ، مِنْهَا:**

pleurisy. It is used as a snuff for treating tonsillitis and it is inserted into one side of the mouth of one suffering from pleurisy.

Abu Dawud says: He refers to the Kust.

[14] What About Applying Kohl?

3878- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Get yourselves dressed in the white for it is the best of your dresses, in which you should shroud your dead; and the best of your kohl is the antimony, for it makes the sight much clearer, and helps the eyelashes grow more."

[15] What About The Evil Effect Of The Eye?

3879- It is narrated on the authority of Hammam Ibn Munabbih that he said: This is what Abu Hurairah related to us: he narrated that the Messenger of Allah "Allah's blessing and peace be upon him" said: "(The evil effect of the) eye is a fact."

3880- It is narrated on the authority of A'ishah that she said: It was the habit to order the envier to wash his body, and to pour from the remaining water over the affected one. (It is that the envier should offer ablution: to wash his face and both hands to the elbows, both knees and the inside of his lower garment, and pour water over his body, i.e. to turn the vessel over himself from his back)

[16] Having Sexual Relation With One's Suckling Wife

3881- It is narrated on the authority of Asma' Bint Yazid Ibn As-Sakan that she heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Do not kill your children in secrecy (by having sexual relation with your wives while suckling): Having sexual relation with one's wife while she is suckling remains in pursuit of the (child even when he becomes a) horseman while being on the back of his horse until it causes him to fall down (and die)."

3882- It is narrated on the authority of Judhamah Bint Wahb Al-Asadiyyah that she said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "I intended to forbid having sexual relation with the woman while suckling (for fear it might harm the infant), but I was informed that both the Persians and the Romans do it, and this does not kill their children."

ذَاتُ الْجَنْبِ. يُسْعَطُ مِنَ الْعُذْرَةِ، وَيُلَدُّ مِنْ ذَاتِ الْجَنْبِ».

قال أَبُو دَاوُدَ: يَعْنِي بِالْعُودِ الْقُسْطَ.

[ت14/ م14] ـ بابٌ في الأمْرِ بالكُحْلِ

3878 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا زُهَيْرٌ: حدَّثنا عَبْدُ اللَّهِ بنُ عُثْمَانَ بنِ خُثَيْم، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«الْبَسُوا مِنْ ثِيَابِكُمُ الْبَيَاضَ، فَإِنَّهَا مِنْ خَيْرِ ثِيَابِكُمْ، وَكَفِّنُوا فِيهَا مَوْتَاكُمْ. وَإِنَّ خَيْرَ أَكْحَالِكُمُ الإِثْمِدُ، يَجْلُو الْبَصَرَ، وَيُنْبِتُ الشَّعَرَ»**.

[ت15/ م15] ـ باب ما جاء في الاتِّقاءِ منَ العَينِ

3879 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ، عن هَمَّامِ بنِ مُنَبِّهٍ قال: هَذَا مَا حدثنا أَبُو هُرَيْرَةَ، عن رَسُولِ اللَّهِ ﷺ قالَ: **«وَالْعَيْنُ حَقٌّ»**.

3880 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، حدثنا جَرِيرٌ، عن الأَعْمَشِ، عن إِبْرَاهِيمَ، عن الأَسْوَدِ، عن عَائِشَةَ قالَتْ: «كَانَ يُؤْمَرُ الْعَائِنُ فَيَتَوَضَّأُ، ثُمَّ يَغْتَسِلُ مِنْهُ المَعِينُ».

[ت16/ م16] ـ بابٌ في الغَيْلِ

3881 ـ حدّثنا الرَّبِيعُ بنُ نَافِعٍ أَبُو تَوْبَةَ: حدَّثنا مُحَمَّدُ بنُ مُهَاجِرٍ، عن أَبِيهِ، عَنْ أَسْمَاءَ بِنْتِ يَزِيدَ بنِ السَّكَنِ قَالَتْ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«لاَ تَقْتُلُوا أَوْلاَدَكُمْ سِرًّا، فَإِنَّ الْغَيْلَ يُدْرِكُ الْفَارِسَ، فَيُدَعْثِرُهُ عَنْ فَرَسِهِ»**.

3882 ـ حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن مُحَمَّدِ بنِ عَبْدِ الرَّحْمَنِ بنِ نَوْفَلٍ قالَ: أخبرني عُرْوَةُ بنُ الزُّبَيْرِ، عن عَائِشَةَ زَوْجِ النَّبِيِّ ﷺ، عن جُدَامَةَ الأَسَدِيَّةِ: أَنَّهَا سَمِعَتْ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«لَقَدْ هَمَمْتُ أَنْ أَنْهَى عن الْغَيْلَةِ، حَتَّى ذُكِّرْتُ: أَنَّ الرُّومَ وَفَارِسَ يَفْعَلُونَ ذَلِكَ، فَلاَ يَضُرُّ أَوْلاَدَهُمْ»**.

قالَ مَالِكٌ: الْغَيْلَةُ: أَنْ يَمَسَّ الرَّجُلُ امْرَأَتَهُ، وَهِيَ تُرْضِعُ.

[17] What About Hanging Amulet?

3883- It is narrated on the authority of Zainab, the wife of Abdullah Ibn Mas'ud that Abdullah Ibn Mas'ud said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Verily, charm, incantation and talisman are out of paganism." I said: One day, I set out, and so and so from the Jews saw me, thereupon my eye which was facing him started shedding tears: every time I recited charm on it, the tears would stop, and whenever I left it, it would keep flowing with tears. He said: This is Satan: he used to pierce his fingers into your eye (if you disobeyed him and kept yourself far from incantation), and once you recited incantation, he would leave it. Of a surety, if you do the same as the Messenger of Allah "Allah's blessing and peace be upon him" did, it would be much better for you, and more convenient to be cured. Sprinkle water in your eye and said: "Remove the trouble, O Lord of the people: cure me, You are the Curer, and there is no cure but Yours, a cure that leaves behind no ailment."

3884- It is narrated on the authority of Imran Ibn Husain that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No (legal) incantation is beneficial except (to remove the evil effects of) an eye or poison."

[18] What About Incantation?

3885- It is narrated on the authority of Thabit Ibn Qais Ibn Shamas that once, the Messenger of Allah "Allah's blessing and peace be upon him" came to visit him while he was ill, thereupon he said: "Remove the harm, O Lord of people, from Thabit Ibn Qais Ibn Shamas!" then, he took a handful of dust from Buthan, placed it in a vessel, wetted it with water by putting water into his mouth and ejaculating in it (mixed with his saliva), and poured it over Thabit Ibn Qais.

3886- It is narrated on the authority of Awf Ibn Malik that he said: we used to recite incantations during the pre-Islamic period of ignorance, and we said to the Messenger of Allah "Allah's blessing and peace be upon him": "What do you see in that?" he said: "Show your incantations to me: there is no harm to recite incantation as long as it implies no reference to joining anything with Allah (in worship)."

3887- It is narrated on the authority of Ash-Shifa' Bint Abdullah that she said: I was sitting with Hafsah when the Messenger of Allah "Allah's blessing and peace be upon him" entered upon us, and said to me: "Should you not teach this (Hafsah) the incantation recited as treatment for the sores of the body, as well as you had instructed her in writing?"

[ت17/م17] ـ بابٌ في تعليقِ التَّمائمِ

3883 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ: حدَّثنا أَبُو مُعَاوِيَةَ: حدَّثنا الأَعْمَشُ، عن عَمْرِو بنُ مُرَّةَ، عن يَحْيَى بنِ الْجَزَّارِ، عن ابنِ أَخِي زَيْنَبَ امْرَأَةِ عَبْدِ اللَّهِ، عن زَيْنَبَ امْرَأَةِ عَبْدِ اللَّهِ، عن عَبْدِ اللَّهِ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِنَّ الرُّقَى، وَالتَّمَائِمَ، وَالتِّوَلَةَ شِرْكٌ**». قالَتْ: قُلْتُ: لِمَ تَقُولُ هَذَا؟ وَاللَّهِ لَقَدْ كَانَتْ عَيْنِي تَقْذِفُ، وَكنت أَخْتَلِفُ إِلَى فُلاَنٍ الْيَهُودِيِّ يَرْقِينِي، فَإِذَا رَقَانِي، سَكَنَتْ. فَقَالَ عَبْدُ اللَّهِ: إِنَّمَا ذَاكَ عَمَلُ الشَّيْطَانِ، كَانَ يَنْخُسُهَا بِيَدِهِ. فَإِذَا رَقَاهَا، كَفَّ عَنْهَا. إِنَّمَا كَانَ يَكْفِيكِ أَنْ تَقُولِي، كَمَا كَانَ رَسُولُ اللَّهِ ﷺ يَقُولُ: «**أَذْهِبِ الْبَاسَ رَبَّ النَّاسِ، اشْفِ أَنْتَ الشَّافِي، لاَ شِفَاءَ إِلاَّ شِفَاؤُكَ، شِفَاءً لاَ يُغَادِرُ سَقَمًا**».

3884 ـ حدّثنا مُسَدَّدٌ: حدَّثنا عَبْدُ اللَّهِ بنُ دَاوُدَ، عنْ مَالِكِ بنِ مِغْوَلٍ، عن حُصَيْنٍ، عنِ الشَّعْبِيِّ، عنْ عِمْرَانَ بنِ حُصَيْنٍ، عنِ النَّبِيِّ ﷺ قالَ: «**لاَ رُقْيَةَ إِلاَّ مِنْ عَيْنٍ أَوْ حُمَةٍ**».

[ت18/م18] ـ بابُ ما جاءَ في الرُّقَى

3885 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ وَابْنُ السَّرْحِ ـ قَالَ أَحْمَدُ: حدَّثنا ابنُ وَهْبٍ، وَقَالَ ابنُ السَّرْحِ: أخبرنا ابنُ وَهْبٍ ـ قال: حدَّثنا دَاوُدُ بنُ عَبْدِ الرَّحْمَنِ، عنْ عَمْرِو بنِ يَحْيَى، عَنْ يُوسُفَ بنِ مُحَمَّدٍ ـ وَقَالَ ابنُ صَالِحٍ: مُحَمَّدُ بنُ يُوسُفَ بنِ ثَابِتِ بنِ قَيْسِ بنِ شَمَّاسٍ ـ عنْ أَبِيهِ، عن جَدِّهِ، عنْ رَسُولِ اللَّهِ ﷺ: أَنَّهُ دَخَلَ عَلَى ثَابِتِ بنِ قَيْسٍ ـ قال أَحْمَدُ: وَهُوَ مَرِيضٌ ـ فَقَالَ: «**اكْشِفِ الْبَاسَ، رَبَّ النَّاسِ، عنْ ثَابِتِ بنِ قَيْسِ بنِ شَمَّاسٍ**». ثُمَّ أَخَذَ تُرَابًا مِنْ بُطْحَانَ، فَجَعَلَهُ فِي قَدَحٍ، ثُمَّ نَفَثَ عَلَيْهِ بِمَاءٍ، وَصَبَّهُ عَلَيْهِ.

قال أَبُو دَاوُدَ: قالَ ابنُ السَّرْحِ: يُوسُفُ بنُ مُحَمَّدٍ: قال أَبُو دَاوُدَ: وَهُوَ الصَّوَابُ.

3886 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ: أخبرني مُعَاوِيَةُ، عن عَبْدِ الرَّحْمَنِ بنِ جُبَيْرٍ، عن أَبِيهِ، عن عَوْفِ بنِ مَالِكٍ قالَ: «كُنَّا نَرْقِي فِي الْجَاهِلِيَّةِ، فَقُلْنَا: يَا رَسُولَ اللَّهِ، كَيْفَ تَرَى فِي ذَلِكَ؟ فَقَالَ: «**اعْرِضُوا عَلَيَّ رُقَاكُمْ، لاَ بَأْسَ بِالرُّقَى مَا لَمْ تَكُنْ شِرْكًا**».

3887 ـ حدّثنا إِبْرَاهِيمُ بنُ مَهْدِيٍّ الْمِصِّيصِيُّ: حدَّثنا عَلِيُّ بنُ مُسْهِرٍ، عنْ عَبْدِ الْعَزِيزِ بنِ عُمَرَ بنِ عَبْدِ الْعَزِيزِ، عنْ صَالِحِ بنِ كَيْسَانَ، عن أَبِي بَكْرِ بنِ سُلَيْمَانَ بنِ أَبِي حَثْمَةَ، عن الشِّفَاءِ بِنْتِ عَبْدِ اللَّهِ قَالَتْ: دَخَلَ عَلَيَّ النَّبِيُّ ﷺ، وَأَنَا عِنْدَ حَفْصَةَ، فَقَالَ لِي: «**أَلاَ تُعَلِّمِينَ هَذِهِ رُقْيَةَ النَّمْلَةِ كَمَا عَلَّمْتِيهَا الْكِتَابَةَ؟**».

(However, the sore incantation used to be recited for the bridegroom among women during the pre-Islamic period of ignorance, and it contained words which could neither benefit nor harm, and it goes as follows: "A bridegroom could celebrate (her marriage), apply kohl, use dye, and do everything she likes to do on the condition that she should not disobey her husband." To be sure, the Messenger of Allah "Allah's blessing and peace be upon him" intended by his statement to Ash-Shifa', not to ask her to teach the incantation to Hafsah so much as to reproach Hafsah herself which disclosed the secret he had told her, and ordered her not to divulge it to anyone as shown in the first portion of the Surah of At-Tahrim.)

3888- It is narrated on the authority of Sahl Ibn Hunaif that he said: We came upon (the water of) a torrent, and I entered and took bath in it, but I came out with fever. When the news of that reached the Messenger of Allah "Allah's blessing and peace be upon him" he said: "Tell Abu Thabit (the nickname of Sahl) to seek refuge (from the evil effect of the eye) with the help of incantation." I (Sahl) said (to the Prophet): "O my chief! Is there good in the incantation?" he said: "No incantation is beneficial but for (removing the evil effect of an) eye, poison or (a scorpion's or snake's) bite."

3889- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No incantation is beneficial but for (removing the evil effect of an) eye, poison or epistaxis (i.e. nosebleed), which the incantation causes to stop."

[19] How Should An Incantation Be Recited?

3890- It is narrated on the authority of Abd Al-Aziz Ibn Suhaib that Anas said to Thabit (when he fell ill): "Shall I treat you with the incantation of the Messenger of Allah "Allah's blessing and peace be upon him"?" Thabit said: "Yes," Anas recited: "O Allah! The Lord of the people, the Remover of trouble! Would You cure (this patient), for You are the Healer. None brings about healing but You; a healing that will leave behind no ailment."

3891- It is narrated on the authority of Uthman Ibn Abu Al-As Ath-Thaqafi that he came to the Messenger of Allah "Allah's blessing and peace be upon him", (an he resumed) and I was ached so much that I was about to be destroyed. On that the Messenger of Allah "Allah's blessing and peace be upon him" said to me: "pass your right hand over it seven times, and then say: "I seek refuge with the Power and Honour of Allah from the mischief of what I am suffering and feeling."" When I said so, I was cured

3888 ـ حدّثنا مُسَدَّدٌ: حدَّثنا عَبْدُ الْوَاحِدِ بنُ زِيَادٍ: حدَّثنا عُثْمَانُ بنُ حَكِيمٍ: حَدَّثَتْنِي جَدَّتِي الرَّبَابُ، قالَتْ: سَمِعْتُ سَهْلَ بنَ حُنَيْفٍ يَقُولُ: مَرَرْنَا بِسَيْلٍ، فَدَخَلْتُ فَاغْتَسَلْتُ فِيهِ، فَخَرَجْتُ مَحْمُومًا. فَنُمِيَ ذَلِكَ إِلَى رَسُولِ اللَّهِ ﷺ، فَقَالَ: «**مُرُوا أَبَا ثَابِتٍ يَتَعَوَّذْ**». قَالَتْ: فَقُلْتُ: يَا سَيِّدِي، وَالرُّقَى صَالِحَةٌ؟ فَقَالَ: «**لاَ رُقْيَةَ إِلاَّ فِي نَفْسٍ، أَوْ حُمَةٍ، أَوْ لَدْغَةٍ**».

قال أَبُو دَاوُدَ: الْحُمَةُ مِنَ الْحَيَّاتِ، وَمَا يَلْسَعُ.

3889 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ: حدَّثنا شَرِيكٌ. (ح)، وَحدَّثنا الْعَبَّاسُ الْعَنْبَرِيُّ: حدَّثنا يَزِيدُ بنُ هَارُونَ: أخبرنا شَرِيكٌ، عن الْعَبَّاسِ بنِ ذَرِيحٍ، عن الشَّعْبِيِّ. قالَ الْعَبَّاسُ: عن أَنَسٍ قالَ: قالَ النَّبِيُّ ﷺ: «**لاَ رُقْيَةَ إِلاَّ مِنْ عَيْنٍ، أَوْ حُمَةٍ، أَوْ دَمٍ يَرْقَأُ**». لَمْ يَذْكُرِ الْعَبَّاسُ الْعَيْنَ، وَهَذَا لَفْظُ سُلَيْمَانَ بنِ دَاوُدَ.

[ت19/م19] ـ بابٌ كيفَ الرُّقَى؟

3890 ـ حدّثنا مُسَدَّدٌ: حدَّثنا عَبْدُ الْوَارِثِ، عنْ عَبْدِ الْعَزِيزِ بنِ صُهَيْبٍ قالَ: قَالَ أَنَسٌ، يَعْنِي لِثَابِتٍ: أَلاَ أَرْقِيكَ رُقْيَةَ رَسُولِ اللَّهِ؟ قَالَ: بَلَى. قالَ: فَقَالَ: «**اللَّهُمَّ رَبَّ النَّاسِ، مُذْهِبَ الْبَاسِ، اشْفِ أَنْتَ الشَّافِي، لاَ شَافِيَ إِلاَّ أَنْتَ. اشْفِهِ شِفَاءً لاَ يُغَادِرُ سَقَمًا**».

3891 ـ حدّثنا عَبْدُ اللَّهِ الْقَعْنَبِيُّ، عَنْ مَالِكٍ، عنْ يَزِيدَ بنِ خُصَيْفَةَ: أَنَّ عَمْرَو بنَ عَبْدِ اللَّهِ بنِ كَعْبٍ السُّلَمِيَّ أَخْبَرَهُ: أَنَّ نَافِعَ بنَ جُبَيْرٍ أَخْبَرَهُ، عنْ عُثْمَانَ بنِ أَبِي الْعَاصِ: أَنَّهُ أَتَى رَسُولَ اللَّهِ ﷺ. قَالَ عُثْمَانُ: وَبِي وَجَعٌ، قَدْ كَادَ يُهْلِكُنِي. قَالَ: فَقَالَ النَّبِيُّ ﷺ: «**امْسَحْهُ بِيَمِينِكَ سَبْعَ مَرَّاتٍ، وَقُلْ: أَعُوذُ بِعِزَّةِ**

by (the Will of) Allah. From that time on, I advised (the sick among) my family and anyone else to do it.

3892- It is narrated on the authority of Abu Ad-Darda' that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "When anyone of you or anyone of your brothers suffers (from a certain pain or disease), let him say: "O our Lord, Allah, Who is in the heaven: Exalted and Hallowed e Your Name! Your Command is effective in both the heaven and the earth. As well as (You have bestowed) Your Mercy upon the (inhabitants of the) heaven, bestow Your Mercy upon the (inhabitants of the) earth. Forgive for us our great sins and mistakes: You are the Lord of the good and pure among the people: send down a portion of Your Mercy, and a healing out of Your Healing upon this affected one, perchance he would recover."

3893- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" instructed them in some words to say whenever they were scared: "I seek refuge with Allah's perfect Words from His Anger, and from the mischief of His servants, and from the evil suggestions of the devils, lest they should come near me." Abdullah Ibn Amr used to teach that statement to such of his offspring as had attained the age of perception, and write it and hang in the neck of such of his offspring as had not yet attained the age of perception.

3894- It is narrated on the authority of Yazid Ibn Abu Ubaidah that he said: I saw the trace of a strike in the leg of Salamah, and when I asked him about it he said: "It was (the trace of) a strike I received on the day of (the holy battle of) Khaibar. The people said: "Salamah was wounded." I was brought to the Messenger of Allah "Allah's blessing and peace be upon him", who blew in it thrice, after which, I came to complain of it no more up to this moment."

3895- It is narrated on the authority of Amrah from A'ishah that she said: Whenever anyone fell ill, The Prophet "Allah's blessing and peace be upon him" used to say to him, pointing to his saliva (i.e. placing his finger on his tongue) therewith he would touch the dust (and place it over the affected portion of the body): "(With the help of) the earth of our land and the saliva of some of us; cured will be our patient by the will of Our Lord."

3896- It is narrated on the authority of Kharijah Ibn As-Salt At-Tamimi from his paternal uncle that he went to the Messenger of Allah "Allah's blessing and peace be upon him" and embraced Islam, and on his way of

اللَّهِ وَقُدْرَتِهِ مِنْ شَرِّ مَا أَجِدُ». قَالَ: فَفَعَلْتُ ذَلِكَ، فَأَذْهَبَ اللَّهُ عزَّ وجلَّ مَا كَانَ بِي. فَلَمْ أَزَلْ آمُرُ بِهِ أَهْلِي، وَغَيْرَهُمْ.

3892 ـ حدّثنا يَزِيدُ بنُ خَالِدِ بنِ مَوْهَبٍ الرَّمْلِيُّ: حدَّثنا اللَّيْثُ، عن زِيَادِ بنِ مُحَمَّدٍ، عنْ مُحَمَّدِ بنِ كَعْبٍ الْقُرَظِيِّ، عن فَضَالَةَ بنِ عُبَيْدٍ، عن أَبِي الدَّرْدَاءِ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنِ اشْتَكَى مِنْكُمْ شَيْئًا، أَوِ اشْتَكَاهُ أَخٌ لَهُ، فَلْيَقُلْ: رَبُّنَا اللَّهُ الَّذِي فِي السَّمَاء، تَقَدَّسَ اسْمُكَ، أَمْرُكَ فِي السَّمَاءِ وَالأَرْضِ كَمَا رَحْمَتُكَ فِي السَّمَاءِ، فَاجْعَلْ رَحْمَتَكَ فِي الأَرْضِ كما رَحمَتُكَ في السَّماءِ. اغْفِرْ لَنَا حُوبَنَا وَخَطَايَانَا. أَنْتَ رَبُّ الطَّيِّبِينَ، أَنْزِلْ رَحْمَةً مِن رَحْمَتِكَ وَشِفَاءً مِنْ شِفَائِكَ عَلَى هَذَا الْوَجَعِ، فَيَبْرَأُ**».

3893 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن مُحَمَّدِ بنِ إِسْحَاقَ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ: أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يُعَلِّمُهُمْ مِنَ الْفَزَعِ كَلِمَاتٍ: «**أَعوذُ بِكَلِمَاتِ اللَّهِ التَّامَّةِ مِنْ غَضَبِهِ، وَشَرِّ عِبَادِهِ، وَمِنْ هَمَزَاتِ الشَّيَاطِينِ، وَأَنْ يَحْضُرُونِ**». وَكَانَ عَبْدُ اللَّهِ بنُ عَمْرٍو يُعَلِّمُهُنَّ مَنْ عَقَلَ مِنْ بَنِيهِ، وَمَنْ لَمْ يَعْقِلْ كَتَبَهُ، فَأَعْلَقَهُ عَلَيْهِ.

3894 ـ حدّثنا أَحْمَدُ بنُ أَبِي سُرَيْجٍ الرَّازِيُّ: أخبرنا مَكِّيُّ بنُ إِبْرَاهِيمَ: حدَّثنا يَزِيدُ بنُ أَبِي عُبَيْدٍ قالَ: «رَأَيْتُ أَثَرَ ضَرْبَةٍ فِي سَاقِ سَلَمَةَ، فَقُلْتُ: مَا هَذِهِ؟ فَقَالَ: أَصَابَتْنِي يَوْمَ خَيْبَرَ، فَقَالَ النَّاسُ: أُصِيبَ سَلَمَةُ، فَأُتِيَ بِيَ النَّبِيَّ ﷺ، فَنَفَثَ فِيَّ ثَلاَثَ نَفَثَاتٍ، فَمَا اشْتَكَيْتُهَا حَتَّى السَّاعَةِ».

3895 ـ حدّثنا زُهَيْرُ بنُ حَرْبٍ وَعُثْمَانُ بنُ أَبِي شَيْبَةَ قَالاَ: حدَّثنا سُفْيَانُ بنُ عُيَيْنَةَ، عن عَبْدِ رَبِّهِ ـ يَعْنِي ابنَ سَعِيدٍ ـ، عن عَمْرَةَ، عن عَائِشَةَ قالَتْ: كَانَ النَّبِيُّ ﷺ يَقُولُ للإِنسَانِ إِذَا اشْتَكَى ـ يَقُولُ بِرِيقِهِ، ثُمَّ قَالَ بِهِ فِي التُّرَابِ ـ: «**تُرْبَةُ أَرْضِنَا بِرِيقَةِ بَعْضِنَا، يُشْفَى سَقِيمُنَا بِإِذْنِ رَبِّنَا**».

3896 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن زَكَرِيَّا، حدَّثني عَامِرٌ، عن خَارِجَةَ بنِ الصَّلْتِ التَّمِيمِيِّ، عن عَمِّهِ: أَنَّهُ أَتَى رَسُولَ اللَّهِ ﷺ، فَأَسْلَمَ. ثُمَّ أَقْبَلَ

return from him, he came upon a people, having a mad person bound in iron. His people said: “We’ve been told that your companion (the Messenger of Allah "Allah's blessing and peace be upon him") brought good (from heaven): do you have anything therewith to treat him?” I recited the Opening of the Book as incantation upon him, thereupon he recovered, and they rewarded me with one hundred sheep. I came to the Messenger of Allah "Allah's blessing and peace be upon him" and told him about that, and he said: “Have you recited nothing except for it?” I answered in the negative, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: “Then, take that (reward), for by my life, such as gains with the false incantation (will incur a great sin upon himself); and you’ve gained that with a true incantation.”

3897- It is narrated on the authority of Kharijah Ibn As-Salt from his paternal uncle that he came upon a people, who came to him and said: “You’ve come from this man (Muhammad, the Prophet) with good: so, would you please recite incantation for that man (who is ill among us).” They brought to him an unwise man bound in fetters, and he kept reciting as incantation the Mother of the Book every morning and evening for three days, and every time he ended it, he buffed over his body, thereupon the man recovered as if he was released from chains. They gave him something as remuneration, and he went to the Messenger of Allah "Allah's blessing and peace be upon him", and made a mention of that to him, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: “By my life: (sinful is) such as gains earnings out of a false incantation, and you’ve gained (your earnings) out of a true incantation.”

3898- It is narrated on the authority of Suhail Ibn Abu Salih from his father that he said: I heard a man belonging to the Aslam tribe having said: I was sitting with the Messenger of Allah "Allah's blessing and peace be upon him" when one from amongst his companions came to him and said: “O Messenger of Allah! Tonight, I was stung, and I could not sleep until morning has entered upon me (because of the severe pain).” He asked: “What (did sting you)?” he said: “A scorpion.” On that he said: “If you said once the evening entered upon you: “I seek refuge with Allah’s perfect Words from the mischief of what He has created”, you would receive no harm by Allah’s Will.”

3899- It is narrated on the authority of Abu Hurairah that he said: One whom a scorpion had stung was brought to the Messenger of Allah "Allah's blessing and peace be upon him". On that he said: “Had he said: “I seek

رَاجِعًا مِنْ عِنْدِهِ، فَمَرَّ عَلَى قَوْمٍ عِنْدَهُمْ رَجُلٌ مَجْنُونٌ مُوثَقٌ بِالْحَدِيدِ، فَقَالَ أَهْلُهُ: إِنَّا حُدِّثْنَا أَنَّ صَاحِبَكُمْ هَذَا قَدْ جَاءَ بِخَيْرٍ، فَهَلْ عِنْدَكَ شَيْءٌ تُدَاوِيهِ؟ فَرَقَيْتُهُ بِفَاتِحَةِ الْكِتَابِ فَبَرَأَ، فَأَعْطَوْنِي مِئَةَ شَاةٍ. فَأَتَيْتُ رَسُولَ اللَّهِ ﷺ فَأَخْبَرْتُهُ، فَقَالَ: «**هَلْ إِلاَّ هَذَا؟**». وَقَالَ مُسَدَّدٌ فِي مَوْضِعٍ آخَرَ: «**هَلْ قُلْتَ غَيْرَ هَذَا؟**» قُلْتُ: لاَ. قَالَ: «**خُذْهَا، فَلَعَمْرِي لَمَنْ أَكَلَ بِرُقْيَةِ بَاطِلٍ، لَقَدْ أَكَلْتَ بِرُقْيَةِ حَقٍّ**».

3897 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ مُعَاذٍ: حدَّثنا أَبِي: وحدَّثنا ابنُ بَشَّارٍ: حدَّثنا ابنُ جَعْفَرٍ: حدَّثنا شُعْبَةُ، عن عَبْدِ اللَّهِ بنِ أَبِي السَّفَرِ، عن الشَّعْبِيِّ، عن خَارِجَةَ بنِ الصَّلْتِ، عن عَمِّهِ أَنَّهُ مَرَّ، قال: «فَرَقَاهُ بِفَاتِحَةِ الْكِتَابِ ثَلاَثَةَ أَيَّامٍ غُدْوَةً وَعَشِيَّةً. كُلَّمَا خَتَمَهَا جَمَعَ بُزَاقَهُ، ثُمَّ تَفَلَ. فَكَأَنَّمَا أُنْشِطَ مِنْ عِقَالٍ. فَأَعْطَوْهُ شَيْئًا، فَأَتَى النَّبِيَّ ﷺ». بِمَعْنَى حَدِيثِ مُسَدَّدٍ.

3898 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا زُهَيْرٌ: حدَّثنا سُهَيْلُ بنُ أَبِي صَالِحٍ، عن أَبِيهِ قَالَ: سَمِعْتُ رَجُلاً مِنْ أَسْلَمَ قال: كُنْتُ جَالِسًا عِنْدَ رَسُولِ اللَّهِ ﷺ، فَجَاءَ رَجُلٌ مِنْ أَصْحَابِهِ فَقَالَ: يَا رَسُولَ اللَّهِ، لُدِغْتُ اللَّيْلَةَ، فَلَمْ أَنَمْ حَتَّى أَصْبَحْتُ. قَالَ: «**مَاذَا؟**» قَالَ: عَقْرَبٌ. قَالَ: «**أَمَا إِنَّكَ لَوْ قُلْتَ حِينَ أَمْسَيْتَ: أَعُوذُ بِكَلِمَاتِ اللَّهِ التَّامَّاتِ مِنْ شَرِّ مَا خَلَقَ، لَمْ يَضُرَّكَ إِنْ شَاءَ اللَّهُ**».

3899 ـ حدّثنا حَيْوَةُ بنُ شُرَيْحٍ: حدَّثنا بَقِيَّةُ: حدَّثنا الزُّبَيْدِيُّ، عن الزُّهْرِيِّ، عن طَارِقٍ ـ يَعْنِي ابنَ مُخَاشِنٍ ـ عن أَبِي هُرَيْرَةَ قَالَ: أُتِيَ النَّبِيُّ ﷺ بِلَدِيغٍ لَدَغَتْهُ عَقْرَبٌ. قَالَ: فقال: «**لَوْ قَالَ: أَعُوذُ**

refuge with Allah's perfect Words from the mischief of what He has created", he would have received no sting (or harm)."

3900- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: Some of the companions of The Prophet "Allah's blessing and peace be upon him" went on journey till they reached some of the Arab tribes (at night). Some of them said: "Our chief has been bitten by a snake (or stung by a scorpion): Have you got anything (useful)?" One of them replied: "Yes, by Allah! I can recite an incantation, but as you have refused to entertain us, I will not recite the incantation for you unless you fix for us some wages for it." They agreed to pay them a flock of sheep. One of them then went and recited the Mother of the Book (The Surah of Al-Fatihah) while puffing over the chief who became all right as if he was released from a chain, and got up and started walking, showing no signs of sickness. They paid them what they agreed to pay. Some of them (The companions) then suggested distributing their earnings among themselves. But the one who performed the recitation said: "Do not divide them till we go to The Prophet "Allah's blessing and peace be upon him" and narrate the whole story to him, and wait for his order." So, they went to Allah's Apostle "Allah's blessing and peace be upon him" and narrated the story. Allah's Apostle "Allah's blessing and peace be upon him" asked: "How did you come to know that The Surah of Al-Fatihah could be recited as incantation?" Then he added: "You have done the right thing. Distribute (what you have earned) and assign a share for me."

3901- It is narrated on the authority of Kharijah Ibn As-Salt from his paternal uncle that he came upon a people, who came to him and said: "You've come from this man (Muhammad, the Prophet) with good: so, would you please recite incantation for that man (who is ill among us)." They brought to him an unwise man bound in fetters, and he kept reciting as incantation the Mother of the Book every morning and evening for three days, and every time he ended it, he buffed over his body, thereupon the man recovered as if he was released from chains. They gave him something as remuneration, and he went to the Messenger of Allah "Allah's blessing and peace be upon him", and made a mention of that to him, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "By my life: (sinful is) such as gains earnings out of a false incantation, and you've gained (your earnings) out of a true incantation."

3902- It is narrated on the authority of A'ishah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", that she said:

بِكَلِمَاتِ اللَّهِ التَّامَّةِ مِنْ شَرِّ مَا خَلَقَ، لَمْ يُلْدَغْ، أَوْ لَمْ يَضُرَّهُ».

3900 ـ حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو عَوَانَةَ، عن أَبِي بِشْرٍ، عن أَبِي الْمُتَوَكلِ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ: أَنَّ رَهْطًا مِنْ أَصْحَابِ النَّبِيِّ ﷺ انْطَلَقُوا فِي سَفْرَةٍ سَافَرُوهَا، فَنَزَلُوا بِحَيٍّ مِنْ أَحْيَاءِ الْعَرَبِ، فَقَالَ بَعْضُهُمْ: إِنَّ سَيِّدَنَا لُدِغَ، فَهَلْ عِنْدَ أَحَدٍ مِنْكُمْ شَيْءٌ يَنْفَعُ صَاحِبَنَا؟ فَقَالَ رَجُلٌ مِنَ الْقَوْمِ: نَعَمْ، وَاللَّهِ إِنِّي لأَرْقِي. وَلَكِنِ اسْتَضَفْنَاكُمْ، فَأَبَيْتُمْ أَنْ تُضِيِّفُونَا. مَا أَنَا بِرَاقٍ حَتَّى تَجْعَلُوا لِي جُعْلاً، فَجَعَلُوا لَهُ قَطِيعًا مِنَ الشَّاءِ. فَأَتَاهُ فَقَرَأَ عَلَيْهِ أُمَّ الْكِتَابِ، وَيَتْفُلُ حَتَّى بَرَأَ، كَأَنَّمَا أُنْشِطَ مِنْ عِقَالٍ. قال: فَأَوْفَاهُمْ جُعْلَهُمُ الَّذِي صَالَحُوهُمْ عَلَيْهِ. فَقَالُوا: اقْتَسِمُوا. فَقَالَ الَّذِي رَقَى: لاَ تَفْعَلُوا حَتَّى نَأْتِيَ رَسُولَ اللَّهِ ﷺ، فَنَسْتَأْمِرَهُ. فَغَدَوْا عَلَى رَسُولِ اللَّهِ ﷺ فَذَكَرُوا لَهُ، فَقَالَ رَسُولُ اللَّهِ ﷺ: **«مِنْ أَيْنَ عَلِمْتُمْ أَنَّهَا رُقْيَةٌ؟! أَحْسَنْتُمْ، اقْتَسِمُوا وَاضْرِبُوا لِي مَعَكُمْ بِسَهْمٍ»**.

3901 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ مُعَاذٍ، قالَ: حدَّثنا أَبِي. (ح)، وحدثنا ابنُ بَشَّارٍ: حدَّثنا مُحَمَّدُ بنُ جَعْفَرٍ قالاَ: حدَّثنا شُعْبَةُ، عن عَبْدِ اللَّهِ بنِ أَبِي السَّفَرِ، عن الشَّعْبِيِّ، عن خَارِجَةَ بنِ الصَّلْتِ التَّمِيمِيِّ، عن عَمِّهِ أَنَّهُ قال: أَقْبَلْنَا مِنْ عِنْدِ رَسُولِ اللَّهِ ﷺ، فَأَتَيْنَا عَلَى حَيٍّ مِنَ الْعَرَبِ فَقَالُوا: إِنَّا أُنْبِئْنَا أَنَّكُمْ قَدْ جِئْتُمْ مِنْ عِنْدِ هَذَا الرَّجُلِ بِخَيْرٍ، فَهَلْ عِنْدَكُمْ مِنْ دَوَاءٍ أَوْ رُقْيَةٍ؟ فَإِنَّ عِنْدَنَا مَعْتُوهًا فِي الْقُيُودِ. قال: فَقُلْنَا: نَعَمْ. قال: فَجَاؤُوا بِمَعْتُوهٍ فِي الْقُيُودِ. قال: فَقَرَأْتُ عَلَيْهِ فَاتِحَةَ الْكِتَابِ ثَلاَثَةَ أَيَّامٍ غُدْوَةً وَعَشِيَّةً، كُلَّمَا خَتَمْتُهَا أَجْمَعُ بُزَاقِي، ثُمَّ أَتْفُلُ. قالَ: فَكأَنَّمَا نَشِطَ مِنْ عِقَالٍ. قالَ: فَأَعْطَوْنِي جُعْلاً. فَقُلْتُ: لاَ، حَتَّى أَسْأَلَ رَسُولَ اللَّهِ ﷺ، فَقَالَ: **«كُلْ، فَلَعَمْرِي مَنْ أَكَلَ بِرُقْيَةِ بَاطِلٍ، لَقَدْ أَكَلْتَ بِرُقْيَةِ حَقٍّ»**.

3902 ـ حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن ابنِ شِهَابٍ، عن عُرْوَةَ، عن عَائِشَةَ زَوْجِ النَّبِيِّ ﷺ: «أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ إِذَا اشْتَكَى، يَقْرَأُ فِي نَفْسِهِ

Whenever the Messenger of Allah "Allah's blessing and peace be upon him" fell ill, he would recite both Surahs of seeking refuge (with Allah from the evil), and blow (in his hand and pass them over his face). When his illness was aggravated, I recited them on him, and passed his hands over his body, in expectation for their blessing.

[20] What About The Medicine For Fatness?

3903- It is narrated on the authority of A'ishah that she said: My mother wanted to give me medicine in order to get me fat, so that she would (cause me to be more fitting for) the Messenger of Allah "Allah's blessing and peace be upon him" to consummate marriage with me; and I did not accept anything of that which she intended; and then she made me eat snake cucumber mixed with fresh dates, therewith I grew fat to the best.

[21] What About The Soothsayer?

3904- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who comes to a soothsayer, and has belief in what he says, or has sexual intercourse with his menstruating wife, or has sexual intercourse with his wife from her anus, has, indeed, abandoned whatever Divine Inspiration was revealed upon Muhammad (the Messenger of Allah "Allah's blessing and peace be upon him")."

[22] What About Astrology?

3905- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who learns a (portion of the) knowledge of astrology (with the intention to practice divination), has, indeed, learnt a part of sorcery, which increases as much as he increases (in astrology)."

(The branch of astrology which is forbidden refers here to the knowledge of the way both stars and planets affect the behaviour of the human being on the basis of which the future divination is established; and this is different from the scientific study of the position and motion of the celestial bodies, for the benefit of mankind)

3906- It is narrated on the authority of Zaid Ibn Khalid Al-Juhani that he said: The Prophet "Allah's blessing and peace be upon him" led us in the Fajr prayer at Hudaibiyah after a rainy night. On completion of the prayer, he faced the people and said: "Do you know what your Lord has said (revealed)?" The people replied: "Allah and His Apostle know better." He said: "Allah has said: "In this morning some of my slaves remained as true

بالمُعَوِّذَاتِ وَيَنْفُثُ. فَلَمَّا اشْتَدَّ وَجَعُهُ، كُنْتُ أَقْرَأُ عَلَيْهِ وَأَمْسَحُ عَلَيْهِ بِيَدِهِ، رَجَاءَ بَرَكَتِهَا».

[ت20/م20] ـ بابٌ في السُّمْنة

3903 ـ حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَارِسٍ: حدَّثنا نُوحُ بنُ يَزِيدَ بنِ سَيَّارٍ: حدَّثنا إِبْرَاهِيمُ بنُ سَعْدٍ، عن مُحَمَّدِ بنِ إِسْحَاقَ، عن هِشَامِ بنِ عُرْوَةَ، عن أَبِيهِ، عن عَائِشَةَ رضي اللَّهُ عنها قَالَتْ: «أَرَادَتْ أُمِّي أَنْ تُسَمِّنَنِي لِدُخُولِي عَلَى رَسُولِ اللَّهِ ﷺ. قَالَتْ: فَلَمْ أُقْبِلْ عَلَيْهَا بِشَيْءٍ مِمَّا تُرِيدُ، حَتَّى أَطْعَمَتْنِي الْقِثَّاءَ بالرُّطَبِ، فَسَمِنْتُ عَلَيْهِ كَأَحْسَنِ السِّمَنِ».

[ت21/م21] ـ بابٌ في الكُهَّان

3904 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: أخبرنا حَمَّادٌ. (ح)، وَأخبرنا مُسَدَّدٌ: أخبرنا يَحْيَى، عنْ حَمَّادِ بنِ سَلَمَةَ، عنْ حَكِيمِ الأَثْرَمِ، عنْ أَبِي تَمِيمَةَ، عنْ أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**مَنْ أَتَى كَاهِنًا**» قَالَ مُوسَى فِي حَدِيثِهِ: «**فَصَدَّقَهُ بِمَا يَقُولُ**»، ثُمَّ اتَّفَقَا: «**أَوْ أَتَى امْرَأَةً**»، قالَ مُسَدَّدٌ: «**امْرَأَتَهُ حَائِضًا، أَوْ أَتَى امْرَأَةً**»، قال مُسَدَّدٌ: «**امْرَأَتَهُ فِي دُبُرِهَا، فَقَدْ بَرِيءَ مِمَّا أُنْزِلَ عَلَى مُحَمَّدٍ ﷺ**».

[ت22/م22] ـ بابٌ في النُّجومِ

3905 ـ حدّثنا أَبُو بَكْرِ بنُ أَبِي شَيْبَةَ وَمُسَدَّدٌ، المَعْنَى، قالاَ: حدَّثنا يَحْيَى، عن عُبَيْدِ اللَّهِ بنِ الأَخْنَسِ، عن الْوَلِيدِ بنِ عَبْدِ اللَّهِ، عن يُوسُفَ بنِ مَاهَكٍ، عن ابنِ عَبَّاسٍ قالَ: قالَ النَّبِيُّ ﷺ: «**مَنِ اقْتَبَسَ عِلْمًا مِنَ النُّجُومِ، اقْتَبَسَ شُعْبَةً مِنَ السِّحْرِ، زَادَ مَا زَادَ**».

3906 ـ حدّثنا الْقَعْنَبِيُّ، عنْ مَالِكٍ، عنْ صَالِحِ بنِ كَيْسَانَ، عن عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ، عن زَيْدِ بنِ خَالِدٍ الْجُهَنِيِّ أَنَّهُ قالَ: صَلَّى لَنَا رَسُولُ اللَّهِ ﷺ صَلاَةَ الصُّبْحِ بالْحُدَيْبِيَةِ فِي إِثْرِ سَمَاءٍ كَانَتْ مِنَ اللَّيْلِ. فَلَمَّا انْصَرَفَ، أَقْبَلَ عَلَى النَّاسِ فَقَالَ: «**هَلْ تَدْرُونَ مَاذَا قَالَ رَبُّكُمْ؟**» قالُوا: اللَّهُ وَرَسُولُهُ أَعْلَمُ. قالَ: «**قالَ: أَصْبَحَ مِنْ عِبَادِي**

believers and some became non-believers; whoever said that the rain was due to the Blessings and the Mercy of Allah had belief in Me and disbelieved in the stars, and whoever said that it rained because of a particular star had no belief in Me even though he believed in that star.""

[23] What About Forecast By Way Of Drawing Lines In The Sand, And Good And Evil Omen By The Names Of Birds?

3907- It is narrated on the authority of Qabisah that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Both good and evil omen by the names of birds, and forecast by way of drawing lines in the sand are out of sorcery and divination."

3908- The same is narrated on the authority of Muhammad Ibn Ja'far from Awf, through a different chain of transmission.

3909- It is narrated on the authority of Mu'awiyah Ibn Al-Hakam As-Sulami that he said: I said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! From amongst us, there are such as forecast by way of drawing lines in the ground." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "From amongst the Prophets, there was a Prophet (reported to be Daniel or Idris) who practiced that (by a Divine Command and Inspiration): whoever has his way agree with that of the Prophet, there is no harm."

[24] What About The Evil Omen (Pessimism)?

3910- It is narrated on the authority of Abdullah Ibn Mas'ud that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said thrice: "(Having faith in the effectiveness of) the evil omen is (a kind of) polytheism"; and there is none of us but that he has doubt (at the first glance), but Allah removes it when one puts his trust in Him.

3911- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no (disease transferred by way of) infection nor evil omen (to be effective without Allah's Will), nor (bad omen from birds like) Hamah (a kind of bird by which they used to have evil omen of one's death if it came on his house's roof), nor (pessimism because of the month of) Safar (or, according to another explanation, nor faith in the existence of a worm which was thought to lie in one's belly, and which would be prompted to move violently whenever one became hungry, to the extent that it might kill him)." A desert dweller said: "O Messenger of Allah! What is the matter with the camels which seem in the sand (as bright) as deer, and when A

مُؤْمِنٌ بِي وَكَافِرٌ. فَأَمَّا مَنْ قَالَ مُطِرْنَا بِفَضْلِ اللَّهِ وَبِرَحْمَتِهِ، فَذَلِكَ مُؤْمِنٌ بِي، كَافِرٌ بِالْكَوْكَبِ. وَأَمَّا مَنْ قَالَ: مُطِرْنَا بِنَوْءِ كَذَا وَكَذَا، فَذَلِكَ كَافِرٌ بِي، مُؤْمِنٌ بالكَوْكَبِ».

[ت23/م23] ـ باب في الخَطِّ وزَجْرِ الطير

3907 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى: حدَّثنا عَوْفٌ: حدَّثنا حَيَّانُ ـ قال غَيْرُ مُسَدَّدٍ: حَيَّانُ بنُ الْعَلاَءِ ـ قالَ: حدثنا قَطَنُ بنُ قَبِيْصَةَ، عن أَبِيهِ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**الْعِيَافَةُ وَالطِّيَرَةُ وَالطَّرْقُ مِنَ الْجِبْتِ**». الطَّرْقُ: الزَّجْرُ، وَالْعِيَافَةُ: الْخَطُّ.

3908 ـ حدّثنا ابنُ بَشَّارٍ قالَ: قالَ مُحَمَّدُ بنُ جَعْفَرٍ: قالَ عَوْفٌ: «الْعِيَافَةُ: زَجْرُ الطَّيْرِ، وَالطَّرْقُ: الْخَطُّ يُخَطُّ فِي الأَرْضِ».

3909 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن الْحَجَّاجِ الصَّوَافِ: حَدَّثَنِي يَحْيَى بنُ أَبِي كَثِيرٍ، عن هِلاَلِ بنِ أَبِي مَيْمُونَةَ، عن عَطَاءِ بنِ يَسَارٍ، عن مُعَاوِيَةَ بنِ الْحَكَمِ السُّلَمِيِّ قالَ: قُلْتُ: يَا رَسُولَ اللَّهِ، وَمِنَّا رِجَالٌ يَخُطُّونَ؟ قال: «**كَانَ نَبِيٌّ مِنَ الأَنْبِيَاءِ يَخُطُّ. فَمَنْ وَافَقَ خَطَّهُ، فَذَاكَ**».

[ت24/م24] ـ بابٌ في الطِّيَرَةِ

3910 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: حدَّثنا سُفْيَانُ، عن سَلَمَةَ بنِ كُهَيْلٍ، عَنْ عِيسَى بنِ عَاصِمٍ، عن زِرِّ بنِ حُبَيْشٍ، عن عَبْدِ اللَّهِ بنِ مَسْعُودٍ، عَنْ رَسُولِ اللَّهِ ﷺ قالَ: «**الطِّيَرَةُ شِرْكٌ، الطِّيَرَةُ شِرْكٌ**» ثَلاَثًا «**وَمَا مِنَّا إِلاَّ، وَلَكِنَّ اللَّهَ يُذْهِبُهُ بِالتَّوَكُّلِ**».

3911 ـ حدّثنا مُحَمَّدُ بنُ الْمُتَوَكِّلِ الْعَسْقَلاَنِيُّ وَالْحَسَنُ بنُ عَلِيٍّ قالاَ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ، عن الزُّهْرِيِّ، عَنْ أَبِي سَلَمَةَ، عن أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ عَدْوَى، وَلاَ طِيرَةَ، وَلاَ صَفَرَ، وَلاَ هَامَةَ**». فَقَالَ أَعْرَابِيٌّ: مَا بَالُ الإِبِلِ تَكُونُ فِي الرَّمْلِ كَأَنَّهَا الظِّبَاءُ، فَيُخَالِطُهَا

mangy camel mixes with them, they are infected with mange?" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Which then has conveyed mange to the first one?" Az-Zuhri said: A man told that Abu Hurairah heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Let not such as have diseased camels come to the pasture and water with such as has healthy camels (in flight from conveying the disease by way of infection)." The man argued him saying: "Have you not related to us that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no (disease transferred by way of) infection nor evil omen (to be effective without Allah's Will), nor (bad omen from birds like) Hamah (a kind of bird by which they used to have evil omen of one's death if it came on his house's roof), nor (pessimism because of the month of) Safar"?" he said: "I did not relate that to you." Abu Salamah said: "Of a surety, Abu Hurairah related that narration, and I've never heard him having forgotten a narration other than that."

3912- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no (disease transferred by way of) infection, nor (bad omen from birds like) Hamah (a kind of bird by which they used to have evil omen of one's death if it came on his house's roof), nor (faith in) star-promising rain, nor (pessimism because of the month of) Safar (or according to another interpretation, faith in the existence of a worm which was thought to lie in one's belly, and which would be prompted to move violently whenever one became hungry, to the extent that it might kill him)."

3913- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no ghoul (which could lead the people astray by appearing in different colours and forms according to the different situations and persons)."

3914- It is narrated on the authority of Ashhab that Malik was asked about the interpretation of his statement: "There is no Safar", thereupon he said: It was the habit during the pre-Islamic period of ignorance to prohibit the month of Safar one year, and make it lawful another year, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no (prohibition applicable to the month of) Safar."

3915- It is narrated on the authority of Baqiyyah that he said: I asked Muhammad Ibn Rashid about the Hamah, and he said: "During the pre-Islamic period of ignorance, they had the belief that no one died and was buried but that a bird called Hamah would come out of his grave." I further

الْبَعِيرُ الأَجْرَبُ فَيُجْرِبُها؟ قالَ: «**فَمَنْ أَعْدَى الأَوَّلَ؟**».

قالَ مَعْمَرٌ: قالَ الزُّهْرِيُّ: فَحَدَّثَنِي رَجُلٌ عَنْ أَبِي هُرَيْرَةَ: أَنَّهُ سَمِعَ النَّبِيَّ ﷺ يَقُولُ: «**لاَ يُورِدَنَّ مُمْرِضٌ عَلَى مُصِحٍّ**». قالَ: فَرَاجَعَهُ الرَّجُلُ، فَقَالَ: أَلَيْسَ قَدْ حَدَّثْتَنَا أَنَّ النَّبِيَّ ﷺ قالَ: «**لاَ عَدْوَى، وَلاَ صَفَرَ، وَلاَ هَامَةَ**»؟ قالَ: لَمْ أُحَدِّثْكُمُوهُ. قالَ الزُّهْرِيُّ: قالَ أَبُو سَلَمَةَ: قَدْ حَدَّثَ بِهِ، وَمَا سَمِعْتُ أَبَا هُرَيْرَةَ نَسِيَ حَدِيثًا قَطُّ غَيْرَهُ.

3912 ـ حدّثنا الْقَعْنَبِيُّ: حدَّثنا عَبْدُ الْعَزِيزِ ـ يَعْنِي ابنَ مُحَمَّدٍ ـ، عن الْعَلاَءِ، عنْ أَبِيهِ، عنْ أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ عَدْوَى، وَلاَ هَامَةَ، وَلاَ نَوْءَ، وَلاَ صَفَرَ**».

3913 ـ حدّثنا مُحَمَّدُ بنُ عَبْدِ الرَّحِيمِ بنِ الْبَرْقِيِّ، أَنَّ سَعِيدَ بنَ الْحَكَمِ حَدَّثَهُمْ قالَ: أخبرنا يَحْيَى بنُ أَيُّوبَ، قالَ: حَدَّثني ابنُ عَجْلاَنَ قالَ: حدَّثَنِي الْقَعْقَاعُ بنُ حَكِيمٍ وَعُبَيْدُ اللَّهِ بنُ مِقْسَمٍ وَزَيْدُ بنُ أَسْلَمَ، عَنْ أَبِي صَالِحٍ، عن أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**لاَ غُولَ**».

3914 ـ قالَ أَبُو دَاوُدَ: قُرِيءَ عَلَى الْحَارِثِ بنِ مِسْكِينٍ وَأَنَا شَاهِدٌ: أَخْبَرَكُمْ أَشْهَبُ قَالَ: سُئِلَ مَالِكٌ عَنْ قَوْلِهِ: «**لاَ صَفَرَ**»؟ قالَ: إِنَّ أَهْلَ الْجَاهِلِيَّةِ كَانُوا يُحِلُّونَ صَفَرَ، يُحِلّونَهُ عَامًا وَيُحَرِّمُونَهُ عَامًا، فَقَالَ النَّبِيُّ ﷺ: «**لاَ صَفَرَ**».

3915 ـ حدّثنا مُحَمَّدُ بنُ الْمُصَفَّى: حدَّثنا بَقِيَّةُ، قالَ: قُلْتُ لِمُحَمَّدِ بنِ رَاشِدٍ: قَوْلُهُ: «**هَامَ**»؟ قالَ: كَانَتِ الْجَاهِلِيَّةُ تَقُولُ: لَيْسَ أَحَدٌ يَمُوتُ فَيُدْفَنُ إِلاَّ خَرَجَ مِنْ قَبْرِهِ هَامَةٌ. قُلْتُ: فَقَوْلُهُ «**صَفَرَ**»؟ **قالَ: سَمِعْتُ**

asked him about Safar, thereupon he said: “They used to have evil omen because of the month of Safar, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: “There is no (pessimism because of the month of) Safar.” Muhammad said: “We also heard that it refers to a bellyache, which they thought to be infectious, thereupon the Prophet said: “There is no (infectious disease called) Safar.”

3916- It is narrated on the authority of Anas that the Messenger of Allah "Allah's blessing and peace be upon him" said: “There is neither a contagious disease to be conveyed to others (without Allah's permission), nor is there a bad omen (from birds or so); but I like the good omen which is the good word (one takes as a good omen).”

3917- It is narrated on the authority of Abu Hurairah that once the Messenger of Allah "Allah's blessing and peace be upon him" heard a good word, which appealed to him, thereupon he said: “We’ve taken your good omen from (the good word which you’ve uttered with) your mouth.”

3918- It is narrated on the authority of Ibn Juraij from Ata’ that he said: “The people say that Safar refers to a kind of bellyache.” I asked him: “What is Hamah?” he said: “The people say that what is crying at night refers to the human’s spirit, and it is not the human’s spirit: it belongs to birds (such as owl and the like of it).”

3919- It is narrated on the authority of Urwah Ibn Amir Al-Qurashi that he said: A mention was made of the good and bad omen because of birds in the presence of the Messenger of Allah "Allah's blessing and peace be upon him", thereupon he said: “The best is the good omen, even though it should never avert a Muslim (from going on his way as long as he puts his trust in Allah). If anyone of you sees what he dislikes, let him say: “O Allah! None barring you brings good deeds, and none barring You averts the evil deeds, and there is no might (therewith the evil deeds are averted) nor power (therewith the good deeds are brought) but with You.”

3920- It is narrated on the authority of Abdullah Ibn Buraidah from his father that the Messenger of Allah "Allah's blessing and peace be upon him" never had good or evil omen because of such things (of which the people used to have good or evil omen): whenever he intended to send an appointee to be in charge of a certain job, he would ask about his name: if he admired the name, he would be happy, and the traces of happiness would be visible on his face, and if he disliked his name, the traces of aversion would be visible on his face; and whenever he intended to enter a village, he would ask about its name: if he admired the name, he would be happy,

أَنَّ أَهْلَ الْجَاهِلِيَّةِ يَسْتَشْئِمُونَ بِصَفَرَ، فَقَالَ النَّبِيُّ ﷺ: «لاَ صَفَرَ». قَالَ مُحَمَّدٌ: وَقَدْ سَمِعْنَا مَنْ يَقُولُ: هُوَ وَجَعٌ يَأْخُذُ فِي الْبَطْنِ، فَكَانُوا يَقُولُونَ هُوَ يُعْدِي، فَقَالَ: «**لاَ صَفَرَ**».

3916 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا هِشَامٌ، عنْ قَتَادَةَ، عن أَنَسٍ: أَنَّ النَّبِيَّ ﷺ قالَ: «**لاَ عَدْوَى وَلاَ طِيرَةَ، وَيُعْجِبُنِي الْفَأْلُ الصَّالِحُ. وَالْفَأْلُ الصَّالِحُ: الْكَلِمَةُ الْحَسَنَةُ**».

3917 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا وُهَيْبٌ، عن سُهَيْلٍ، عنْ رجُلٍ، عن أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ سَمِعَ كَلِمَةً، فَأَعْجَبَتْهُ، فَقَالَ: «**أَخَذْنَا فَأْلَكَ مِنْ فِيكَ**».

3918 ـ حدّثنا يَحْيَى بنُ خَلَفٍ: حدثنا أَبُو عَاصِمٍ: حدثنا ابنُ جُرَيْجٍ، عنْ عَطَاءٍ قالَ: «يَقُولُ النَّاسُ: الصَّفَرُ وَجَعٌ يَأْخُذُ فِي الْبَطْنِ. قُلْتُ: فَمَا الْهَامَةُ؟ قَالَ: يَقُولُ نَاسٌ: الْهَامَةُ الَّتِي تَصْرُخُ هَامَةُ النَّاسِ، وَلَيْسَتْ بِهَامَةِ الإِنْسَانِ، إِنَّمَا هِيَ دَابَّةٌ».

3919 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ وَأَبُو بَكْرِ بنُ شَيْبَةَ، المَعْنَى، قالاَ: حدَّثنا وَكِيعٌ، عنْ سُفْيَانَ، عن حَبِيبِ بنِ أَبِي ثَابِتٍ، عن عُرْوَةَ بنِ عَامِرٍ ـ قالَ أَحْمَدُ: الْقُرَشِيِّ ـ قالَ: ذُكِرَتِ الطِّيرَةُ عِنْدَ النَّبِيِّ ﷺ، فَقَالَ: «**أَحْسَنُهَا الْفَأْلُ، وَلاَ تَرُدُّ مُسْلِمًا. فَإِذَا رَأَى أَحَدُكُمْ مَا يَكْرَهُ، فَلْيَقُلِ: اللَّهُمَّ لاَ يَأْتِي بِالْحَسَنَاتِ إِلاَّ أَنْتَ، وَلاَ يَدْفَعُ السَّيِّئَاتِ إِلاَّ أَنْتَ، وَلاَ حَوْلَ وَلاَ قُوَّةَ إِلاَّ بِكَ**».

3920 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا هِشَامٌ، عن قَتَادَةَ، عنْ عَبْدِ اللَّهِ بنِ بُرَيْدَةَ، عن أَبِيهِ: «أَنَّ النَّبِيَّ كَانَ لاَ يَتَطَيَّرُ مِنْ شَيْءٍ، وَكَانَ إِذَا بَعَثَ عَامِلاً سَأَلَ عن اسْمِهِ، فَإِذَا أَعْجَبَهُ اسْمُهُ فَرِحَ بِهِ، وَرُؤِيَ بِشْرُ ذَلِكَ فِي وَجْهِهِ. وَإِنْ كَرِهَ اسْمَهُ، رُؤِيَ كَرَاهِيَةُ ذَلِكَ فِي وَجْهِهِ. وَإِذَا دَخَلَ قَرْيَةً سَأَلَ عن اسْمِهَا،

and the traces of happiness would be visible on his face, and if he disliked its name, the traces of aversion would be visible on his face.

3921- It is narrated on the authority of Sa'd Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "There is no (bad omen from birds like) Hamah (a kind of bird by which they used to have evil omen of one's death if it came on his house's roof) nor (disease transferred by way of) infection, nor evil omen (to be effective without Allah's Will); and if there is an evil omen, it might be in the horse, the woman and the house."

3922- It is narrated on the authority of Abdullah Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The evil omen (if there is evil omen) might be in the horse, the woman and the house."

Abu Dawud says: Ibn Al-Qasim said: Malik was asked about the evil omen pertaining to the horse and the house, thereupon he said: "Many were the houses, in which people lived, and they were destroyed; and when others lived in them, they also were destroyed: this is the interpretation of it to our knowledge, and Allah knows better."

Abu Dawud says: Umar said: "A straw mat in the house is much better than a woman who never begets children."

3923- It is narrated on the authority of Farwah Ibn Musaik that he said: I said: "O Messenger of Allah! We have a territory called Abyan (beside Aden), which constitutes our countryside and (the source of our) provisions, but it is epidemic." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Then, leave it, since destruction is out of disease."

3924- It is narrated on the authority of Anas Ibn Malik that a man said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Messenger of Allah! We lived in a house, in which we were great in number and wealth; and when we moved to another house, we came to be less in number and short of wealth." On that Allah's Messenger "Allah's blessing and peace be upon him" said: "Leave it since it is despised."

3925- It is narrated on the authority of Jabir that once, the Messenger of Allah "Allah's blessing and peace be upon him" took hold of the hand of a leper and placed his hand into the bowl (of food) and said: "Share food with me, in confidence of, and putting my trust in Allah Almighty."

فَإِنْ أَعْجَبَهُ اسْمُهَا فَرِحَ بِهَا، وَرُؤِيَ بِشْرُ ذَلِكَ فِي وَجْهِهِ. وَإِنْ كَرِهَ اسْمَهَا، رُؤِيَ كَرَاهِيَةُ ذَلِكَ فِي وَجْهِهِ».

3921 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ، قالَ: حدَّثنا أَبَانُ، قالَ: حدَّثني يَحْيَى: أَنَّ الْحَضْرَمِيَّ بنَ لاَحِقٍ حَدَّثَهُ، عنْ سَعِيدِ بنِ الْمُسَيَّبِ، عنْ سَعْدِ بنِ مَالِكٍ: أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَقُولُ: «**لاَ هَامَةَ، وَلاَ عَدْوَى، وَلاَ طِيَرَةَ. وَإِنْ تَكُنِ الطِّيَرَةُ فِي شَيْءٍ، فَفِي الْفَرَسِ وَالْمَرْأَةِ وَالدَّارِ**».

3922 ـ حدّثنا الْقَعْنَبِيُّ: حدَّثنا مَالِكٌ، عن ابنِ شِهَابٍ، عنْ حَمْزَةَ وَسَالِمٍ ابْنَيْ عَبْدِ اللَّهِ بنِ عُمَرَ، عَنْ عَبْدِ اللَّهِ بنِ عُمَرَ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**الشُّؤْمُ فِي الدَّارِ، وَالْمَرْأَةِ، وَالْفَرَسِ**».

قال أَبُو دَاوُدَ: قُرِىءَ عَلَى الْحَارِثِ بنِ مِسْكِينٍ وَأَنَا شَاهِدٌ. قِيلَ لَهُ: أَخْبَرَكَ ابنُ الْقَاسِمِ قالَ: سُئِلَ مَالِكٌ عن الشُّؤْمِ فِي الْفَرَسِ وَالدَّارِ؟ قالَ: «كَمْ مِنْ دَارٍ سَكَنَهَا قَوْمٌ، فَهَلَكُوا. ثُمَّ سَكَنَهَا آخَرُونَ، فَهَلَكُوا». فَهَذَا تَفْسِيرُهُ فِيمَا نُرَى، وَاللَّهُ أَعْلَمُ.

قال أَبُو دَاوُدَ: قالَ عُمَرُ رَضِيَ اللَّهُ عَنْهُ: «حَصِيرٌ فِي الْبَيْتِ، خَيْرٌ مِنَ امْرَأَةٍ لاَ تَلِدُ».

3923 ـ حدّثنا مَخْلَدُ بنُ خَالِدٍ وَعَبَّاسٌ الْعَنْبَرِيُّ قالاَ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ، عنْ يَحْيَى بنِ عَبْدِ اللَّهِ بنِ بَحِيرٍ قالَ: أخبرني مَنْ سَمِعَ فَرْوَةَ بنَ مُسَيْكٍ قالَ: قُلْتُ: يَا رَسُولَ اللَّهِ، أَرْضٌ عِنْدَنَا يُقَالُ لَهَا أَرْضُ أَبْيَنَ، هِيَ أَرْضُ رِيفِنَا وَمِيرَتِنَا، وَإِنَّهَا وَبِئَةٌ ـ أَوْ قَالَ: وَبَاؤُهَا شَدِيدٌ ـ فَقَالَ النَّبِيُّ ﷺ: «**دَعْهَا عَنْكَ، فَإِنَّ مِنَ الْقَرَفِ التَّلَفَ**».

3924 ـ حدّثنا الْحَسَنُ بنُ يَحْيَى: حدَّثنا بِشْرُ بنُ عُمَرَ، عنْ عِكْرِمَةَ بنِ عَمَّارٍ، عنْ إِسْحَاقَ بنِ عَبْدِ اللَّهِ بنِ أَبِي طَلْحَةَ، عنْ أَنَسِ بنِ مَالِكٍ قالَ: قالَ رَجُلٌ: يَا رَسُولَ اللَّهِ إِنَّا كُنَّا فِي دَارٍ كَثِيرٌ فِيهَا عَدَدُنَا، وَكَثِيرٌ فِيهَا أَمْوَالُنَا، فَتَحَوَّلْنَا إِلَى دَارٍ أُخْرَى، فَقَلَّ فِيهَا عَدَدُنَا، وَقَلَّتْ فِيهَا أَمْوَالُنَا. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**ذَرُوهَا ذَمِيمَةً**».

3925 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا يُونُسُ بنُ مُحَمَّدٍ: حدَّثنا مُفَضَّلُ بنُ فَضَالَةَ، عنْ حَبِيبِ بنِ الشَّهِيدِ، عنْ مُحَمَّدِ بنِ الْمُنْكَدِرِ، عنْ جَابِرٍ: أَنَّ رَسُولَ اللَّهِ ﷺ أَخَذَ بِيَدِ مَجْذُومٍ، فَوَضَعَهَا مَعَهُ فِي الْقَصْعَةِ، وَقَالَ: «**كُلْ، ثِقَةً بِاللَّهِ، وَتَوَكُّلاً عَلَيْهِ**».

(23/28) THE BOOK OF EMANCIPATION

[1] When Such As Given The Deed Of Writing By His Master To Be Manumitted For A Certain Sum Fulfills A Portion Of His Deed

3926- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Such as given the deed of writing to be emancipated for a certain sum of money remains a slave as long as there is still even a Dirham of his deed due upon him."

3927- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If a slave has a deed from his master to be emancipated in return for paying one hundred ounces, which he pays with only ten ounces remaining, he is still a slave (until he fulfills the whole sum agreed upon); and if a slave has a deed from his master to be emancipated in return for paying one hundred Dinars, which he pays with only ten Dinars remaining, he is still a slave (until he fulfills the whole sum agreed upon)."

3928- It is narrated on the authority of Umm Salamah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" said to us: "Whoever of you (O women) has a slave, who is given a deed from her to be emancipated in return for paying a certain sum agreed upon between both, and he (at the same time) has got that which he could pay, let her then screen herself from him (for he is then a would-be free person)."

[2] Selling Such Of Slaves As Given The Deed Of Writing To Be Emancipated For A Certain Sum If The Contract Is Repealed

3929- It is narrated on the authority of Urwah that A'ishah told him that Barirah came to seek her help in her deed of emancipation (for a certain sum) and that time she had paid nothing of it. A'ishah said to her: "Go back to your masters, and if they agree that I pay the amount of your writing of emancipation on the condition that your allegiance should be to me (i.e. I should have the right of inheriting your property), I will do so." Barirah informed her masters of that but they refused and said: "If she (A'ishah) is seeking for Allah's reward, then she can do so, but your allegiance (including the right of inheriting the property of you) will be for us." A'ishah mentioned that to Allah's Apostle "Allah's blessing and peace be upon him" who said to her: "Buy and manumit her, since the allegiance (including the right of inheriting the property of the slave) is for the

[28/23] - كِتَابُ العِتْقِ

[ت1/م1] - باب في المُكَاتَبِ يؤدِّي بَعضَ كتابته فيعجِزُ أو يَموتُ

3926 - حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ، قال: حدَّثنا أَبُو بَدْرٍ، قالَ: حدَّثني أَبُو عُتْبَةَ إِسْمَاعِيلُ بنُ عَيَّاشٍ، قال: حدَّثني سُلَيْمَانُ بنُ سُلَيْمٍ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ، عن النَّبِيِّ ﷺ قَالَ: «**المُكَاتَبُ عَبْدٌ مَا بَقِيَ عَلَيْهِ مِنْ كِتَابَتِهِ دِرْهَمٌ**».

3927 - حدّثنا مُحَمَّدُ بنُ المُثَنَّى: حدَّثني عَبْدُ الصَّمَدِ: حدَّثنا هَمَّامٌ: حدَّثنا عَبَّاسٌ الْجُرَيرِيُّ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ: أَنَّ النَّبِيَّ ﷺ قال: «**أَيُّمَا عَبْدٍ كَاتَبَ عَلَى مِئَةِ أُوقِيَّةٍ، فَأَدَّاهَا إِلاَّ عَشَرَةَ أَوَاقٍ، فَهُوَ عَبْدٌ. وَأَيُّمَا عَبْدٍ كَاتَبَ عَلَى مِئَةِ دِينَارٍ، فَأَدَّاهَا إِلاَّ عَشَرَةَ دَنَانِيرَ، فَهُوَ عَبْدٌ**».

قال أَبُو دَاوُدَ: لَيْسَ هُوَ عَبَّاسٌ الْجُرَيرِيُّ، قالُوا: هُوَ وَهَمٌ، وَلَكِنَّهُ هُوَ شَيْخٌ آخَرُ.

3928 - حدّثنا مُسَدَّدُ بنُ مُسَرْهَدٍ، قال: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، عن نَبْهَانَ - مُكَاتَبِ أُمِّ سَلَمَةَ - قالَ: سَمِعْتُ أُمَّ سَلَمَةَ تَقُولُ: قَالَ لَنَا رَسُولُ اللَّهِ ﷺ: «**إِذَا كَانَ لإِحْدَاكُنَّ مُكَاتَبٌ، فَكَانَ عِنْدَهُ مَا يُؤَدِّي، فَلْتَحْتَجِبْ مِنْهُ**».

[ت2/م2] - بابٌ في بيعِ المُكَاتَبِ إذا فُسِخَتِ الكِتابةُ

3929 - حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ وَعَبْدُ اللَّهِ بنُ مَسْلَمَةَ قالاَ: حدَّثنا اللَّيْثُ، عن ابنِ شِهَابٍ، عن عُرْوَةَ: أَنَّ عَائِشَةَ رضي اللَّهُ عنها أَخْبَرَتْهُ: أَنَّ بَرِيرَةَ جَاءَتْ تَسْتَعِينُهَا فِي كِتَابَتِهَا، وَلَمْ تَكُنْ قَضَتْ مِنْ كِتَابَتِهَا شَيْئًا. فَقَالَتْ لَهَا عَائِشَةُ: ارْجِعِي إِلَى أَهْلِكِ، فَإِنْ أَحَبُّوا أَنْ أَقْضِيَ عَنْكِ كِتَابَتَكِ، وَيَكُونَ وَلاَؤُكِ لِي فَعَلْتُ. فَذَكَرَتْ ذَلِكَ بَرِيرَةُ لأَهْلِهَا، فَأَبَوْا وَقَالُوا: إِنْ شَاءَتْ أَنْ تَحْتَسِبَ عَلَيْكِ فَلْتَفْعَلْ، وَيَكُونَ لَنَا وَلاَؤُكِ. فَذَكَرَتْ ذَلِكَ لِرَسُولِ اللَّهِ ﷺ، فَقَالَ لَهَا رَسُولُ اللَّهِ ﷺ: «**ابْتَاعِي فَأَعْتِقِي،**

manumitter." Allah's Apostle "Allah's blessing and peace be upon him" then got up and said: "What about the people who stipulate conditions which are not present in Allah's Laws? Whoever imposes conditions, which are not present in Allah’s Book (i.e. Allah's Laws), then those conditions will be invalid, even if he imposed these conditions a hundred times. Allah's conditions (Laws) are more right and trustworthy."

3930- It is narrated on the authority of A’ishah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", that Barirah came to her after her masters had given her a deed that she should be emancipated in return for nine ounces (of gold) to be paid one per annum. A’ishah said: "If your masters agree, I will pay them the sum at once (and free you) provided that your allegiance will be to me." Barirah went to her masters and made a mention of that to them, but they refused that offer and insisted on the condition that her allegiance should be to them. Then, A’ishah told the Messenger of Allah "Allah's blessing and peace be upon him" about that. On that he said: "Buy (and manumit her)." He said: “What is the matter of the people, that anyone of them says: “O so and so! Manumit (such and such a slave), on the condition that the allegiance should be for me”? of a surety, the allegiance should be to the manumitter.”

3931- It is narrated on the authority of A’ishah that she said: Juwairiyah, daughter of Al-Harith from Banu Al-Mustaliq fell in the share of Thabit Ibn Qais Ibn Shamas or a paternal cousin of him. She was given a deed of emancipation in return for a certain sum of money (reported to be nine gold ounces). However, she was a very pretty and charming woman. She came to ask the Messenger of Allah "Allah's blessing and peace be upon him" to help her fulfill her deed, and when she stood at the gate and I saw her, I disliked her position, since I came to know that the Messenger of Allah "Allah's blessing and peace be upon him" would see in her (beauty and charm) the same as I had seen. She said: “O Messenger of Allah! I’m Juwairiyah Bint Al-Harith, and you are well-aware of my story. I have fallen in the share of Thabit Ibn Qais Ibn Shamas, and I’ve been given a deed of emancipation in return for a certain sum of money; and I’ve come to ask you to help me fulfill my deed.” The Messenger of Allah "Allah's blessing and peace be upon him" said to her: “Should I suggest to you what is much better than that?” she asked: “What is that O Messenger of Allah?” he said: “Let me pay your deed on your behalf, and marry you.” She said: “I’ve agreed O Messenger of Allah.” The news became in circulation among the people that the Messenger of Allah "Allah's blessing and peace be upon him" got married to Juwairiyah Bint Al-Harith, thereupon they

فَإِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ». ثُمَّ قَامَ رَسُولُ اللَّهِ ﷺ فَقَالَ: «**مَا بَالُ أُنَاسٍ يَشْتَرِطُونَ شُرُوطًا لَيْسَتْ فِي كِتَابِ اللَّهِ؟ مَنِ اشْتَرَطَ شَرْطًا لَيْسَ فِي كِتَابِ اللَّهِ، فَلَيْسَ لَهُ وَإِنْ شَرَطَهُ مِئَةَ مَرَّةٍ؛ شَرْطُ اللَّهِ أَحَقُّ وَأَوْثَقُ**».

3930 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا وُهَيْبٌ، عن هِشَامِ بنِ عُرْوَةَ، عن أَبِيهِ، عن عَائِشَةَ رَضِيَ اللَّهُ عنها قَالَتْ: «جَاءَتْ بَرِيرَةُ لِتَسْتَعِينَ فِي مُكَاتَبَتِهَا، فَقَالَتْ: إِنِّي كَاتَبْتُ أَهْلِي عَلَى تِسْعِ أَوَاقٍ، فِي كُلِّ عَامٍ أُوقِيَّةٌ، فَأَعِينِينِي. فقَالَتْ: إِنْ أَحَبَّ أَهْلُكِ أَنْ أَعُدَّهَا عَدَّةً وَاحِدَةً وَأُعْتِقَكِ، وَيَكُونَ وَلَاؤُكِ لِي فَعَلْتُ. فَذَهَبَتْ إِلَى أَهْلِهَا» وَسَاقَ الْحَدِيثَ نَحْوَ الزُّهْرِيِّ.

زَادَ فِي كَلَامِ النَّبِيِّ ﷺ فِي آخِرِهِ: «**مَا بَالُ رِجَالٍ يَقُولُ أَحَدُهُمْ: أَعْتِقْ يَا فُلَانُ، وَالْوَلَاءُ لِي؟ إِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ**».

3931 ـ حدّثنا عَبْدُ الْعَزِيزِ بنُ يَحْيَى أَبُو الأَصْبَغِ الْحَرَّانِيُّ قال: حدَّثَنِي مُحَمَّدٌ ـ يَعْنِي ابنَ سَلَمَةَ ـ، عن ابنِ إِسْحَاقَ، عن مُحَمَّدِ بنِ جَعْفَرِ بنِ الزُّبَيْرِ، عَنْ عُرْوَةَ بنِ الزُّبَيْرِ، عن عَائِشَةَ رضي اللَّهُ عنها قالَتْ: وَقَعَتْ جُوَيْرِيَةُ بِنْتُ الْحَارِثِ بنِ الْمُصْطَلِقِ فِي سَهْمِ ثَابِتِ بنِ قَيْسِ بنِ شَمَّاسٍ، أَو ابنِ عَمٍّ لَهُ، فَكَاتَبَتْ عَلَى نَفْسِهَا. وَكَانَتْ امْرَأَةً مُلَاحَةً، تَأْخُذُهَا الْعَيْنُ. قَالَتْ عَائِشَةُ: فَجَاءَتْ تَسْأَلُ رَسُولَ اللَّهِ ﷺ فِي كِتَابَتِهَا. فَلَمَّا قَامَتْ عَلَى الْبَابِ فَرَأَيْتُهَا، كَرِهْتُ مَكَانَهَا، وَعَرَفْتُ أَنَّ رَسُولَ اللَّهِ ﷺ سَيَرَى مِنْهَا مِثْلَ الَّذِي رَأَيْتُ. فَقَالَتْ: يَا رَسُولَ اللَّهِ، أَنَا جُوَيْرِيَةُ بِنْتُ الْحَارِثِ، وَأَنَّما كَانَ مِنْ أَمْرِي مَا لَا يَخْفَى عَلَيْكَ، وَإِنِّي وَقَعْتُ فِي سَهْمِ ثَابِتِ بنِ قَيْسِ بنِ شَمَّاسٍ، وَإِنِّي كَاتَبْتُ عَلَى نَفْسِي، فَجِئْتُكَ أَسْأَلُكَ فِي كِتَابَتِي. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**فَهَلْ لَكِ إِلَى مَا هُوَ خَيْرٌ مِنْهُ؟**» قَالَتْ: وَمَا هُوَ يَا رَسُولَ اللَّهِ؟ قال: «**أُؤَدِّي عَنْكِ كِتَابَتَكِ، وَأَتَزَوَّجُكِ**». قَالَتْ: قَدْ فَعلتُ. قَالَتْ: فَتَسَامَعَ ـ تَعْنِي ـ النَّاسُ أَنَّ رَسُولَ اللَّهِ ﷺ قَدْ تَزَوَّجَ جُوَيْرِيَةَ، فَأَرْسَلُوا ما فِي أَيْدِيهِمْ مِنَ السَّبْيِ فَأَعْتَقُوهُمْ،

released whatever captives they had in their hands saying: "Those have become the relatives of the Messenger of Allah "Allah's blessing and peace be upon him"." We've never seen a woman more fitting to be a source of blessing upon her people than Juwairiyah, for whose sake captives from one hundred families (reported to be more than seven hundred) belonging to Al-Mustaliq were emancipated.

Abu Dawud says: This narration gives proof for the fact that a guardian of a girl has the right to marry himself to her.

[3] The Conditional Emancipation

3932- It is narrated on the authority of Safinah that he said: I was a slave owned by Umm Salamah and she said to me: "I (like to) manumit you on the condition that you should serve the Messenger of Allah "Allah's blessing and peace be upon him" as long as you are living." I said: "And even if you do not take such a condition on me, I will never leave (the service of) the Messenger of Allah "Allah's blessing and peace be upon him" as long as I'm living." She emancipated me on that condition.

[4] When One Emancipates His Share Of A Slave

3933- It is narrated on the authority of Abu Al-Malih from his father that he said: A man emancipated his share of a jointly owned slave, and a mention of that was made to the Messenger of Allah "Allah's blessing and peace be upon him", who said: "There is no partner with Allah (in ownership, i.e. since the emancipation is for the sake of Allah, the whole and not only a portion of the slave should be emancipated)." The Messenger of Allah "Allah's blessing and peace be upon him" then sanctioned the emancipation of the slave (according to an addition made by Ibn Kathir in his narration).

[...] When One Emancipates His Portion Of A Jointly Owned Slave

3934- It is narrated on the authority of Abu Hurairah that a man emancipated his portion of a jointly owned slave, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" sanctioned the emancipation of the slave, and made the remaining of his price due upon him (the manumitter to his partner of ownership).

3935- It is narrated on the authority of Qatadah from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "He, who emancipates his portion of a jointly owned slave, should emancipate him completely." (i.e. by paying the rest of his price from his money if he has

وَقَالُوا: أَصْهَارُ رَسُولِ اللَّهِ ﷺ. فَمَا رَأَيْنَا امْرَأَةً كَانَتْ أَعْظَمَ بَرَكَةً عَلَى قَوْمِهَا مِنْهَا، أُعْتِقَ فِي سَبَبِها مِئَةُ أَهْلِ بَيْتٍ مِنْ بَنِي الْمُصْطَلِقِ.

قال أَبُو دَاوُدَ: هَذَا حُجَّةٌ فِي أَنَّ الْوَلِيَّ هُوَ يُزَوِّجُ نَفْسَهُ.

[ت3/م3] - بابٌ في العِتقِ على الشَّرطِ

3932 - حدّثنا مُسَدَّدُ بنُ مُسَرْهَدٍ، قال: حدَّثنا عَبْدُ الْوَارِثِ، عن سَعِيدِ بنِ جُمْهَانَ، عن سَفِينَةَ قال: «كُنْتُ مَمْلُوكًا لأُمِّ سَلَمَةَ فَقَالَتْ: أُعْتِقُكَ وَأَشْتَرِطُ عَلَيْكَ أَنْ تَخْدُمَ رَسُولَ اللَّهِ ﷺ مَا عِشْتَ، فَقُلْتُ: وَإِنْ لَمْ تَشْتَرِطِي عَلَيَّ مَا فَارَقْتُ رَسُولَ اللَّهِ ﷺ مَا عِشْتُ. فَأَعْتَقَتْنِي وَاشْتَرَطَتْ عَلَيَّ».

[ت4/م4] - بابٌ فيمَنْ أَعْتَقَ نَصيبًا له مِنْ مَمْلوكٍ

3933 - حدّثنا أَبُو الْوَلِيدِ الطَّيَالِسِيُّ قال: حدَّثنا هَمَّامٌ. (ح)، وحدَّثنا مُحَمَّدُ بنُ كَثِيرٍ، المَعْنَى، قالَ: أخبرنا هَمَّامٌ، عن قَتَادَةَ، عن أَبِي المَلِيحِ، قالَ أَبُو الْوَلِيدِ عنْ أَبِيهِ: أَنَّ رَجُلاً أَعْتَقَ شِقْصًا لَهُ مِنْ غُلَامٍ، فَذُكِرَ ذَلِكَ لِلنَّبِيِّ ﷺ، فقَالَ: «**لَيْسَ للَّه شَرِيكٌ**». زَادَ ابنُ كَثِيرٍ فِي حَدِيثِهِ: فَأَجَازَ النَّبِيُّ ﷺ عِتْقَهُ.

[...] بابُ مَنْ أَعْتَقَ نَصِيبًا لهُ مِنْ مَمْلوكٍ بينَهُ وبينَ آخَرَ

3934 - حدّثنا مُحَمَّدُ بنُ كَثِيرٍ، قال: حدَّثنا هَمَّامٌ، عنْ قَتَادَةَ، عن النَّضْرِ بنِ أَنَسٍ، عنْ بَشِيرِ بنِ نَهِيكٍ، عنْ أَبِي هُرَيْرَةَ: «أَنَّ رَجُلاً أَعْتَقَ شِقْصًا لَهُ مِنْ غُلَامٍ، فَأَجَازَ النَّبِيُّ ﷺ عِتْقَهُ، وَغَرَّمَهُ بَقِيَّةَ ثَمَنِهِ».

3935 - حدّثنا مُحَمَّدُ بنُ الْمُثَنَّى، قالَ: حدَّثنا مُحَمَّدُ بنُ جَعْفَرٍ. (ح)، وحدَّثنا أَحْمَدُ بنُ عَلِيِّ بنِ سُوَيْدٍ، قالَ: أخبرنا رَوْحٌ قالاَ: أخبرنا شُعْبَةُ، عنْ قَتَادَةَ بِإِسْنَادِهِ عن النَّبِيِّ ﷺ قالَ: «**مَنْ أَعْتَقَ مَمْلُوكًا بَيْنَهُ وَبَيْنَ**

sufficient money; otherwise the slave is to be helped to work without being overburdened till he pays the rest of his price).

3936- It is narrated on the authority of Qatadah from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: “He, who emancipates his portion of a jointly owned slave, should emancipate him (completely by paying the rest of his price) from his money if he has sufficient money.”

[5] Helping The Slave To Work (To Gain The Earnings Of Fulfilling The Remaining Price Of His Emancipation)

3937- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: “He, who emancipates his portion of a jointly owned slave, should emancipate him completely by paying the rest of his price from his money if he has sufficient money; otherwise the slave is to be helped to work without being overburdened till he pays the rest of his price.”

3938- It is narrated on the authority of Abu Hurairah that he said: The Prophet “Allah’s blessing and peace be upon him” said: "He, who frees his share of a common slave should free the slave completely by paying the rest of his price from his money if he has sufficient money; and if he has no enough money (to emancipate him), then the price of the slave is to be estimated justly, and the slave is to be helped to work to get (the price of) the remaining share to be emancipated, without being overburdened."

3939- The same is narrated on the authority of Sa’id, through the same chain of transmission.

Abu Dawud says: The same is narrated on the authority of Sa’id Ibn Abu Urubah, but no mention is made of the matter of helping the slave to work to gain what enables him to complete the remaining of his price; and the same also is narrated on the authority of Qatadah, in which a mention is made of the matter of helping the slave to work to gain what enables him to complete his price.

[6] The Narration That He Should Not Be Helped To Work

3940- It is narrated on the authority of Abdullah Ibn Umar that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: "He, who frees his share of a common slave and he has sufficient money to free him completely, should let its price be estimated by a just man and give his partners the price of their shares and manumit the slave; otherwise he would manumit the slave partially (according to his own share)."

آخَرَ، فَعَلَيْهِ خَلاَصُهُ»، وَهَذَا لَفْظُ ابنِ سُوَيْدٍ.

3936 ـ حدّثنا ابنُ المُثَنَّى، قالَ: حدَّثنا مُعَاذُ بنُ هِشَامٍ، قالَ: حدَّثني أبي. (ح)، وحدَّثنا أَحْمَدُ بنُ عَلِيٍّ بنِ سُوَيْدٍ، قالَ: حدَّثنا رَوْحٌ، قالَ: حدَّثنا هِشَامُ بنُ أَبِي عَبْدِ اللَّهِ، عنْ قَتَادَةَ بِإِسْنَادِهِ: أَنَّ النَّبِيَّ ﷺ قالَ: «**مَنْ أَعْتَقَ نَصِيبًا لَهُ في مَمْلُوكٍ، عَتَقَ مِنْ مَالِهِ إِنْ كَانَ لَهُ مَالٌ**»، وَلَمْ يَذْكُرِ ابنُ المُثَنَّى النَّضْرَ بنَ أَنسٍ، وَهَذَا لَفْظُ ابنِ سُوَيْدٍ.

[ت5/م5] ـ بابُ مَنْ ذَكَرَ السِّعَايَةَ في هذا الحديث

3937 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ، قالَ: حدَّثنا أَبَانُ ـ يَعْنِي الْعَطَّارَ ـ قال: حدثنا قَتَادَةُ، عن النَّضْرِ بنِ أَنَسٍ، عنْ بَشِيرِ بنِ نَهِيكٍ، عنْ أَبِي هُرَيْرَةَ قالَ: قالَ النَّبِيُّ ﷺ: «**مَنْ أَعْتَقَ شَقِيصًا فِي مَمْلُوكِهِ، فَعَلَيْهِ أَنْ يُعْتِقَهُ كُلَّهُ إِنْ كَانَ لَهُ مَالٌ، وَإِلاَّ اسْتُسْعِيَ الْعَبْدُ غَيْرَ مَشْقُوقٍ عَلَيْهِ**».

3938 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ، قالَ: حدَّثنا يَزِيدُ ـ يَعْنِي ابنَ زُرَيْعٍ ـ (ح)، وحدَّثنا عَلِيُّ بنُ عَبْدِ اللَّهِ، قال: حدثنا مُحَمَّدُ بنُ بِشْرٍ وَهَذَا لَفْظُهُ، عنْ سَعِيدِ بنِ أَبِي عَرُوبَةَ، عن قَتَادَةَ، عن النَّضْرِ بنِ أَنَسٍ، عنْ بَشِيرِ بنِ نَهِيكٍ، عنْ أَبِي هُرَيْرَةَ، عن النَّبِيِّ ﷺ قالَ: «**مَنْ أَعْتَقَ شِقْصًا لَهُ، أَوْ شَقِيصًا لَهُ، فِي مَمْلُوكٍ، فَخَلاَصُهُ عَلَيْهِ فِي مَالِهِ إِنْ كَانَ لَهُ مَالٌ. فَإِنْ لَمْ يَكُنْ لَهُ مَالٌ، قُوِّمَ الْعَبْدُ قِيمَةَ عَدْلٍ، ثُمَّ اسْتُسْعِيَ لِصَاحِبِهِ فِي قِيمَتِهِ غَيْرَ مَشْقُوقٍ عَلَيْهِ**».

قال أَبُو دَاوُدَ: فِي حَدِيثِهِمَا جَمِيعًا «**فَاسْتُسْعِيَ غَيْرَ مَشْقُوقٍ عَلَيْهِ**». وَهَذَا لَفْظُ عَلِيٍّ.

3939 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ، قالَ: أخبرنا يَحْيَى وَابْنُ أَبِي عَدِيٍّ، عنْ سَعِيدٍ بِإِسْنَادِهِ وَمَعْنَاهُ.

قال أَبُو دَاوُدَ: رَوَاهُ رَوْحُ بنُ عُبَادَةَ، عنْ سَعِيدِ بنِ أَبِي عَرُوبَةَ، لَمْ يَذْكُرِ السِّعَايَةَ. وَرَوَاهُ جَرِيرُ بنُ حَازِمٍ وَمُوسَى بنُ خَلَفٍ جَمِيعًا، عنْ قَتَادَةَ بِإِسْنَادِ يَزِيدَ بنِ زُرَيْعٍ وَمَعْنَاهُ، وَذَكَرَا فِيهِ السِّعَايَةَ.

[ت6/م6] ـ بابٌ فيمَنْ رَوَى أَنَّه لا يُسْتَسْعَى

3940 ـ حدّثنا الْقَعْنَبِيُّ، عنْ مَالِكٍ، عنْ نَافِعٍ، عنْ عَبْدِ اللَّهِ بنِ عُمَرَ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**مَنْ أَعْتَقَ شِرْكًا لَهُ فِي مَمْلُوكٍ، أُقِيمَ عَلَيْهِ قِيمَةَ الْعَدْلِ، فَأَعْطَى شُرَكَاءَهُ حِصَصَهُمْ وَأُعْتِقَ عَلَيْهِ الْعَبْدُ، وَإِلاَّ فَقَدْ أُعْتِقَ مِنْهُ مَا أَعْتَقَ**».

3941- The same is narrated on the authority of Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him", with the variation that Nafi' related sometimes: "otherwise he would manumit the slave partially (according to his own share)" and sometime he did not mention it.

3942- The same is narrated on the authority of Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him", in which Ayyub says: I do not know whether the statement "otherwise he would manumit the slave partially (according to his own share)" is of the words of the Messenger of Allah "Allah's blessing and peace be upon him", or of Nafi' himself.

3943- It is narrated on the authority of Ibn Umar that the Prophet "Allah's blessing and peace be upon him" said: "He, who frees his share of a common slave should free the slave completely by paying the rest of his price from his money if he has sufficient money; and if he has no enough money (to emancipate him), then let him emancipate his share of him."

3944- The same is narrated on the authority of Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him".

3945- The same is narrated on the authority of Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him", and no mention is made of the last statement: "otherwise he would manumit the slave partially (according to his own share)."

3946- It is narrated on the authority of Ibn Umar that the Prophet "Allah's blessing and peace be upon him" said: "He, who frees his share of a common slave should free the slave completely by paying the rest of his price from his money if he has money sufficient for paying his price."

3947- It is narrated on the authority of Ibn Umar, tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him", that he said: "If a slave is jointly owned by two persons, one of whom intends to emancipate his portion in him and he is solvent, let his price be justly evaluated with no excessive reduction nor increase, and then let him (guarantee) his emancipation."

3948- It is narrated on the authority of Ibn At-Talib from his father that a man emancipated his portion of a slave, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" did not make him guarantee (the complete emancipation of the slave)."

3941 ـ حدّثنا مُؤَمَّلٌ، قال: حدّثنا إسْمَاعِيلُ، عنْ أَيُّوبَ، عنْ نَافِعٍ، عن ابنِ عُمَرَ، عن النَّبيِّ ﷺ بِمَعْنَاهُ قالَ: وَكَانَ نَافِعٌ رُبَّمَا قالَ: **«فَقَدْ عَتَقَ مِنْهُ مَا عَتَقَ»**، وَرُبَّمَا لَمْ يَقُلْهُ.

3942 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ الْعَتَكِيُّ: حدَّثنا حَمَّادٌ ـ يَعْنِي ابنَ زَيْدٍ ـ، عنْ أَيُّوبَ، عنْ نَافِعٍ، عن ابنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا، عن النَّبيِّ ﷺ بِهَذَا الْحَدِيثِ.

قالَ أَيُّوبُ: فَلاَ أَدْرِي هُوَ فِي الْحَدِيثِ عن النَّبيِّ ﷺ، أَوْ شَيْءٌ قالَهُ نَافِعٌ: **«وَإِلاَّ فَقَدْ عَتَقَ مِنْهُ مَا عَتَقَ»**.

3943 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى الرَّازِيُّ، قالَ: أخبرنا عِيسَى بنُ يُونُسَ، قالَ: حدَّثنا عُبَيْدُ اللَّهِ، عن نَافِعٍ، عن ابنِ عُمَرَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ أَعْتَقَ شِرْكًا مِنْ مَمْلُوكٍ لَهُ، فَعَلَيْهِ عِتْقُهُ كُلُّهُ إِنْ كَانَ لَهُ مالٌ يَبْلُغُ ثَمَنَهُ. وَإِنْ لَمْ يَكُنْ لَهُ مَالٌ، عَتَقَ نَصِيبُهُ»**.

3944 ـ حدّثنا مَخْلَدُ بنُ خَالِدٍ، قال: حدَّثنا يَزِيدُ بنُ هَارُونَ، قال: حدَّثنا يَحْيَى بنُ سَعِيدٍ، عنْ نَافِعٍ، عن ابنِ عُمَرَ، عن النَّبيِّ ﷺ بِمَعْنَى إِبْرَاهِيمَ بنِ مُوسَى.

3945 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدِ بنِ أَسْمَاءَ، قال: حدَّثنا جُوَيْرِيَةُ، عنْ نَافِعٍ، عن ابنِ عُمَرَ، عن النَّبيِّ ﷺ بِمَعْنَى مَالِكٍ، وَلَمْ يَذْكُرْ: **«وَإِلاَّ فَقَدْ عَتَقَ مِنْهُ مَا عَتَقَ»**. انْتَهَى حَدِيثُهُ إِلَى: **«وَأُعْتِقَ عَلَيْهِ الْعَبْدُ»** عَلَى مَعْنَاهُ.

3946 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ، قالَ: حدَّثنا عَبْدُ الرَّزَّاقِ، قال: حدَّثنا مَعْمَرٌ، عنِ الزُّهْرِيِّ، عن سَالِمٍ، عن ابنِ عُمَرَ: أَنَّ النَّبيَّ ﷺ قالَ: **«مَنْ أَعْتَقَ شِرْكًا لَهُ في عَبْدٍ، عَتَقَ مِنْهُ مَا بَقِيَ فِي مَالِهِ، إِذَا كَانَ لَهُ مَالٌ يَبْلُغُ ثَمَنَ الْعَبْدِ»**.

3947 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا سُفْيَانُ، عن عَمْرِو بنِ دِينَارٍ، عنْ سَالِمٍ، عنْ أَبِيهِ يَبْلُغُ بِهِ النَّبيَّ ﷺ: **«إِذَا كَانَ الْعَبْدُ بَيْنَ اثْنَيْنِ فَأَعْتَقَ أَحَدُهُمَا نَصِيبَهُ، فَإِنْ كَانَ مُوسِرًا يُقَوَّمُ عَلَيْهِ قِيمَةً لاَ وَكْسَ وَلاَ شَطَطَ، ثُمَّ يُعْتَقُ»**.

3948 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ، قال: حدَّثنا مُحَمَّدُ بنُ جَعْفَرٍ، قال: حدَّثنا شُعْبَةُ، عن خَالِدٍ، عن أَبِي بِشْرٍ الْعَنْبَرِيِّ، عن ابنِ التِّلِبِّ، عن أَبِيهِ: «أَنَّ رَجُلاً أَعْتَقَ نَصِيبًا لَهُ مِنْ مَمْلُوكٍ، فَلَمْ يُضَمِّنْهُ النَّبيُّ ﷺ».

قالَ أَحْمَدُ: إِنَّمَا هُوَ ـ بالتَّاءِ ـ يَعْنِي التِّلِبَّ، وَكَانَ شُعْبَةُ أَلْثَغَ لَمْ يُبَيِّنِ التَّاءَ مِنَ الثَّاءِ.

[7] When One Has Such Of His (Or Her) Kinship As Unlawful For Him (Or Her) To Marry In His (Or Her) Possession

3949- It is narrated on the authority of Samurah from the Messenger of Allah "Allah's blessing and peace be upon him" that he said: "If one has such of his (or her) kinship as unlawful for him (or her) to marry in his (or her) possession, he should be necessarily emancipated."

Abu Dawud says: A Hadith like this is narrated on the authority of Samurah from the Messenger of Allah "Allah's blessing and peace be upon him", through another chain of transmitters.

3950- It is narrated on the authority of Qatadah that Umar Ibn Al-Khattab said: "If one has such of his (or her) kinship as unlawful for him (or her) to marry in his (or her) possession, he should be necessarily emancipated."

3951- It is narrated on the authority of Qatadah from Al-Hasan that he said: "If one has such of his (or her) kinship as unlawful for him (or her) to marry in his (or her) possession, he should be necessarily emancipated."

3952- A Hadith like this is narrated on the authority of Qatadah from both Al-Hasan and Jabir Ibn Zaid.

[8] Emancipating The Children's Mothers

(The slave-girls who give birth to children from their masters)

3953- It is narrated on the authority of Sallamah Bint Ma'qil, a woman belonging to the tribe of Qais Ilan that she said: My paternal uncle brought me during the pre-Islamic period of ignorance, and sold me to Al-Hubab Ibn Amr, the brother of Abu Al-Yusr Ibn Al-Hubab, for whom I gave birth to Abd Ar-Rahman Ibn Al-Hubab, and then he (Amr) died, thereupon his wife said to me: "By Allah, you will be sold in fulfillment of his (Amr's) debt." I went to the Messenger of Allah "Allah's blessing and peace be upon him" and said: "O Messenger of Allah! I'm woman belonging to the tribe of Qais Ilan , and My paternal uncle brought me during the pre-Islamic period of ignorance, and sold me to Al-Hubab Ibn Amr, the brother of Abu Al-Yusr Ibn Al-Hubab, for whom I gave birth to Abd Ar-Rahman Ibn Al-Hubab, and then he (Amr) died, thereupon his wife said to me: "By Allah, you will be sold in fulfillment of his (Amr's) debt." The Messenger of Allah "Allah's blessing and peace be upon him" said: "Who is the heir of Al-Hubab?" it was said: "His brother Abu Al-Yusr Ibn Amr." The Messenger of Allah "Allah's blessing and peace be upon him" sent to him and said: "Release her, and when you learn that slaves were brought to me,

[ت7/م7] ـ بابٌ فيمَن مَلَكَ ذا رحِمٍ مَحْرَمٍ

3949 ـ حدّثنا مُسْلِمُ بنُ إبْرَاهِيمَ ومُوسَى بنُ إسْمَاعِيلَ قالاَ: حدَّثنا حَمَّادُ بنُ سَلَمَةَ، عن قَتَادَةَ، عن الْحَسَنِ، عن سَمُرَةَ، عن النَّبِيِّ ﷺ ـ وَقَالَ مُوسَى فِي مَوْضِعٍ آخَرَ: عَنْ سَمُرَةَ بنِ جُنْدَبٍ فِيمَا يَحْسِبُ حَمَّادٌ قال: قالَ رَسُولُ اللَّهِ ﷺ ـ: «**مَنْ مَلَكَ ذَا رَحِمٍ مَحْرَمٍ، فَهُوَ حُرٌّ**».

قال أَبُو دَاوُدَ: رَوَى مُحَمَّدُ بنُ بَكْرٍ البرْسَانِيُّ، عن حَمَّادِ بنِ سَلَمَةَ، عن قَتَادَةَ وَعَاصِمٍ، عن الْحَسَنِ، عن سَمُرَةَ، عن النَّبِيِّ ﷺ مِثْلَ ذَلِكَ الْحَدِيثِ.

قال أَبُو دَاوُدَ: وَلَمْ يُحَدِّثْ هَذَا الْحَدِيثَ إلاَّ حَمَّادُ بنُ سَلَمَةَ، وَقَدْ شَكَّ فِيهِ.

3950 ـ حدّثنا مُحَمَّدُ بنُ سُلَيْمَانَ الأَنْبَارِيُّ، قال: حدَّثنا عَبْدُ الْوَهَّابِ، عن سَعِيدٍ، عن قَتَادَةَ: أَنَّ عُمَرَ بنَ الْخَطَّابِ رَضِيَ اللَّهُ عَنْهُ قال: «مَنْ مَلَكَ ذَا رَحِمٍ مَحْرَمٍ فَهُوَ حُرٌّ».

3951 ـ حدّثنا مُحَمَّدُ بنُ سُلَيْمَانَ: حدَّثنا عَبْدُ الْوَهَّابِ، عن سَعِيدٍ، عن قَتَادَةَ، عن الْحَسَنِ قالَ: «مَنْ مَلَكَ ذَا رَحِمٍ مَحْرَمٍ، فَهُوَ حُرٌّ».

3952 ـ حدّثنا أَبُو بَكْرِ بنُ أَبِي شَيْبَةَ، قال: حدَّثنا أَبُو أُسَامَةَ، عن سَعِيدٍ، عن قَتَادَةَ، عن جَابِرِ بنِ زَيْدٍ وَالْحَسَنِ مِثْلَهُ.

قال أَبُو دَاوُدَ: سَعِيدٌ أَحْفَظُ مِنْ حَمَّادٍ.

[ت8/م8] ـ باب في عتق أُمهات الأَوْلاد

3953 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ: حدَّثنا مُحَمَّدُ بنُ سَلَمَةَ، عن مُحَمَّدِ بنِ إسْحَاقَ، عن خَطَّابِ بنِ صَالِحٍ مَوْلَى الأَنْصَارِ، عن أُمِّهِ، عن سَلاَمَةَ بِنْتِ مَعْقِلٍ ـ امْرَأَةٍ مِنْ خَارِجَةِ قَيْسِ عَيْلاَنَ ـ قَالَتْ: «قَدِمَ بِي عَمِّي فِي الْجَاهِلِيَّةِ، فَبَاعَنِي مِنَ الْحُبَابِ بنِ عَمْرٍو أَخِي أَبِي الْيَسَرِ بنِ عَمْرٍو، فَوَلَدْتُ لَهُ عَبْدَ الرَّحْمَنِ بنَ الْحُبَابِ ثُمَّ هَلَكَ، فَقَالَتِ امْرَأَتُهُ: الآنَ وَاللَّهِ تُبَاعِينَ فِي دَيْنِهِ. فَأَتَيْتُ رَسُولَ اللَّهِ ﷺ، فَقُلْتُ: يَا رَسُولَ اللَّهِ، إنِّي امْرَأَةٌ مِنْ خَارِجَةِ قَيْسِ عَيْلاَنَ، قَدِمَ بِي عَمِّي الْمَدِينَةَ فِي الْجَاهِلِيَّةِ، فَبَاعَنِي مِنَ الْحُبَابِ بنِ عَمْرٍو، أخي أَبِي الْيَسَرِ بنِ عَمْرٍو فَوَلَدْتُ لَهُ عَبْدَ الرَّحْمَنِ بنَ الْحُبَابِ، فقَالَتِ امْرَأَتُهُ: الآنَ وَاللَّهِ تُبَاعِينَ فِي دَيْنِهِ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ وَلِيُّ**

come to me, perchance I would recompense you." She further said: They released me, and later many slaves were brought to the Messenger of Allah "Allah's blessing and peace be upon him", from whom he recompensed them (Al-Hubab's heirs) with a slave in substitution for me.

3954- It is narrated on the authority of Jabir Ibn Abdullah that he said: We sold the children's mothers during the lifetime of the Messenger of Allah "Allah's blessing and peace be upon him", and continued during (the caliphate of) Abu Bakr, and when it was the time of (the caliphate of) Umar, he forbade us; and we desisted.

[9] Selling The Slave Whose Emancipation Is Conditioned By The Death Of His Owner (Known As Mudabbar)

3955- It is narrated on the authority of Jabir Ibn Abdullah that a man emancipated a slave, and suspended his manumission on the condition of his death; and he had no property other than that. On that the Messenger of Allah "Allah's blessing and peace be upon him" ordered that he (the slave) should be sold, and he was sold for seven or nine hundred (Dirhams).

3956- The same is narrated on the authority of Jabir Ibn Abdullah, through the same chain of transmission, with the addition that the Messenger of Allah "Allah's blessing and peace be upon him" further said: "You have more right to get his price; and Allah is free of need for him."

3957- It is narrated on the authority of Jabir that a man from the Ansar called Abu Madhkur manumitted a slave of his called Ya'qub (on condition that it would come into force) after death; and he had no other property. The Messenger of Allah "Allah's blessing and peace be upon him" ordered that he be brought to him, and he asked: "Who would buy (that slave)?" Nu'aim Ibn Abdullah An-Nahham bought him for eight hundred Dirhams, which he brought to him. Then, the Messenger of Allah "Allah's blessing and peace be upon him" said: "When anyone of you is short of property, let him start with himself and spend on it. If anything is left, it should be spent on his family. If anything is left from his family it should be spent on his kith and kin. If anything is left from his kith and kin, it should be spent like this, and like this , i.e. (on whomever he finds) In front of him, on his right and on his left."

[10] What About Emancipating Slaves Beyond One-Third The Property (Within Which A Bequest Is Limited)

3958- It is narrated on the authority of Imran Ibn Husain that a man emancipated six slaves at the time of his death, and he had no property

الْحُبَابِ؟» قِيلَ: أَخُوهُ أَبُو الْيَسَرِ بنُ عَمْرٍو، فَبَعَثَ إِلَيْهِ فَقَالَ: «**أَعْتِقُوهَا. فَإِذَا سَمِعْتُمْ بِرَقِيقٍ قَدِمَ عَلَيَّ، فَائْتُونِي أُعَوِّضْكُمْ مِنْهَا**». قالَتْ: فَأَعْتَقُونِي وَقَدِمَ عَلَى رَسُولِ اللَّهِ ﷺ رَقِيقٌ، فَعَوَّضَهُمْ مِنِّي غُلَامًا».

3954 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن قَيْسٍ، عن عَطَاءٍ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قال: «بِعْنَا أُمَّهَاتِ الأَوْلَادِ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ، وَأَبِي بَكْرٍ. فَلَمَّا كَانَ عُمَرُ، نَهَانَا فَانْتَهَيْنَا».

[ت9/م9] ـ بابٌ في بَيعِ المُدَبَّرِ

3955 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ، قال: حدَّثنا هُشَيْمٌ، عن عَبْدِ المَلِكِ بنِ أَبي سُلَيْمَانَ، عن عَطَاءٍ وَإِسْمَاعِيلَ بنِ أَبِي خَالِدٍ، عن سَلَمَةَ بنِ كُهَيْلٍ، عن عَطَاءٍ، عن جَابِرِ بنِ عَبْدِ اللَّهِ: «أَنَّ رَجُلاً أَعْتَقَ غُلَامًا لَهُ عن دُبُرٍ مِنْهُ، وَلَمْ يَكُنْ لَهُ مَالٌ غَيْرُهُ. فَأَمَرَ بِهِ النَّبِيُّ ﷺ، فَبِيعَ بِسَبْعِ مِئَةٍ أَوْ بِتِسْعِ مِئَةٍ».

3956 ـ حدّثنا جَعْفَرُ بنُ مُسَافِرٍ، قال: حدَّثنا بِشْرُ بنُ بَكْرٍ، قال: حدَّثنا الأَوْزَاعِيُّ، قال: حدَّثني عَطَاءُ بنُ أَبِي رَبَاحٍ قال: حدَّثني جَابِرُ بنُ عَبْدِ اللَّهِ بِهَذَا. زَادَ: وَقَالَ ـ يَعْنِي النَّبِيَّ ﷺ ـ: «**أَنْتَ أَحَقُّ بِثَمَنِهِ، وَاللَّهُ أَغْنَى عَنْهُ**».

3957 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ، قال: حدَّثنا إِسْمَاعِيلُ بنُ إِبْرَاهِيمَ، قال: حدَّثنا أَيُّوبُ، عن أَبِي الزُّبَيْرِ، عن جَابِرٍ: أَنَّ رَجُلاً مِنَ الأَنْصَارِ ـ يُقَالُ لَهُ: أَبُو مَذْكُورٍ ـ أَعْتَقَ غُلَامًا لَهُ ـ يُقَالُ لَهُ: يَعْقُوبُ ـ عن دُبُرٍ، وَلَمْ يَكُنْ لَهُ مَالٌ غَيْرُهُ. فَدَعَا بِهِ رَسُولُ اللَّهِ ﷺ فَقَالَ: «**مَنْ يَشْتَرِيهِ؟**» فاشْتَرَاهُ نُعَيْمُ بنُ عَبْدِ اللَّهِ بنِ النَّحَّام بِثَمَانِ مِئَةِ دِرْهَمٍ، فَدَفَعَهَا إِلَيْهِ ثُمَّ قَالَ: «**إِذَا كَانَ أَحَدُكُمْ فَقِيرًا فَلْيَبْدَأْ بِنَفْسِهِ، فَإِنْ كَانَ فِيهَا فَضْلٌ فَعَلَى عِيَالِهِ، فَإِنْ كَانَ فِيهَا فَضْلٌ فَعَلَى ذِي قَرَابَتِهِ، أَوْ قَالَ عَلَى ذِي رَحِمِهِ، وَإِنْ كَانَ فَضْلاً فَهٰهُنَا وَهٰهُنَا**».

[ت10/م10] ـ بابٌ فِيمَنْ أَعتَقَ عَبيدًا لهُ لمْ يَبْلُغْهُمُ الثُّلُثُ

3958 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ، قال: حدَّثنا حَمَّادُ بنُ زَيْدٍ، عن أَيُّوبَ، عن أَبِي قِلَابَةَ، عن أَبِي المُهَلَّبِ، عن عِمْرَانَ بنِ حُصَيْنٍ: «أَنَّ رَجُلاً أَعْتَقَ سِتَّةَ أَعْبُدٍ عِنْدَ

other than them. When the news of that reached the Messenger of Allah "Allah's blessing and peace be upon him" he spoke with the man (i.e. their master) so harshly. He called them, divided them into three parts (each containing two slaves, and drew lots among them). Then, he emancipated two (slaves upon whom the lot fell), and kept (the remaining) four as slaves.

3959- The same is narrated on the authority of Abu Qilabah through the same chain of transmission, with the omission of the news that he spoke with the man so harshly.

3960- It is narrated on the authority of Abu Qilabah from Abu Zaid that a man from amongst the Ansar...and the rest is the same, in which the Messenger of Allah "Allah's blessing and peace be upon him" said: "Had I seen him (the owner of the slaves) before he was buried, I would not have got him buried in the graves of Muslims."

3961- It is narrated on the authority of Imran Ibn Husain that a man emancipated six slaves at his death, and he had no property other than them. When the news of that reached the Messenger of Allah "Allah's blessing and peace be upon him" he drew lots among them. Then, he emancipated two (slaves upon whom the lot fell), and kept (the remaining) four as slaves.

[11] When One Emancipates A Slave Who Has Property

3962- It is narrated on the authority of Abdullah Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who emancipates a slave who has property, his property should go to him (the freed slave), unless the master puts a condition (that it should go to him)."

[12] What About Emancipating A Child Coming From An Illegal Sexual Relation?

3963- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The child of an illegal sexual relation is the worst of the three (parties involved in the process of adultery, i.e. the father, the mother, and the child)"; and to give (in charity even as little as) a whip is much better for me than to emancipate a (slave who is a) child of illegal sexual relation.

[13] The Reward Of Emancipation

3964- It is narrated on the authority of Al-Gharif Ibn Ad-Dailami that he said: We went to Wathilah Ibn Al-Asqa' and said to him: "Relate to us a narration (from the Prophet), in which there is neither addition nor reduction." He grew angry and said: "It happens that anyone of you might recite the Qur'an, and make additions or reductions (by way of

مَوْتِهِ، وَلَمْ يَكُنْ لَهُ مَالٌ غَيْرُهُمْ. فَبَلَغَ ذَلِكَ النَّبِيَّ ﷺ، فَقَالَ لَهُ قَوْلاً شَدِيدًا، ثُمَّ دَعَاهُمْ فَجَزَّأَهُمْ ثَلاثَةَ أَجْزَاء فَأَقْرَعَ بَيْنَهُمْ، فَأَعْتَقَ اثْنَيْنِ وَأَرَقَّ أَرْبَعَةً».

3959 - حدّثنا أَبُو كَامِلٍ: حدَّثنا عَبْدُ الْعَزِيزِ - يَعْنِي ابنَ الْمُخْتَارِ -: حدَّثنا خَالِدٌ، عن أَبِي قِلَابَةَ بِإِسْنَادِهِ وَمَعْنَاهُ، وَلَمْ يَقُلْ: **«فَقَالَ لَهُ قَوْلاً شَدِيدًا»**.

قال أَبُو دَاوُدَ: قال عبدُ الوارثِ لأبي عُلَيَّةَ: ذهبْتَ مِنْ عندِنا وأنتَ عالمٌ، وجئْتَنا وأنتَ أمير، فقال: العيالُ والدَّينُ. فقال: أَيُنْسَاكَ الذي لا يَنْسَى الذَّرَّة في جُحْرِهَا؟ وكان ابنُ عُلَيَّةَ يتشبَّه بشمائلِ ابنِ عونٍ، ولكنَّه بُلِيَ.

3960 - حدّثنا وَهْبُ بنُ بَقِيَّةَ، قال: حدَّثنا خَالِدُ بنُ عَبْدِ اللَّهِ - هُوَ الطَّحَّانُ -، عن خَالِدٍ، عن أَبِي قِلَابَةَ، عن أَبِي زَيْدٍ: أَنَّ رَجُلاً مِنَ الأَنْصَارِ بِمَعْنَاهُ، وَقَالَ - يَعْنِي النَّبِيَّ ﷺ -: **«لَوْ شَهِدْتُهُ قَبْلَ أَنْ يُدْفَنَ، لَمْ يُدْفَنْ فِي مَقَابِرِ الْمُسْلِمِينَ»**.

قال أَبُو دَاوُدَ: خَالِدٌ الْحَذَّاءُ هُوَ أَبُو الْمَنَازِلِ. وَخَالِدُ بنُ عَبْدِ اللَّهِ الواسطيُّ، يقال له: الطَّحَّان أبو عَرُوبَة، اسمه مِهْرَانُ، وهو أبو سعيدِ بنُ أبي عَرُوبَةَ. والأعمش سليمان بن مِهْران، وخالدٌ الحذاءُ كان على عملِ السلطانِ في الجسرِ، وابنُ عُلَيَّةَ تولَّى على عملِ الصدقةِ وحبَسَهُ هَارونُ.

3961 - حدّثنا مُسَدَّدٌ، قال: حدَّثنا حَمَّادُ بنُ زَيْدٍ، عن يَحْيَى بنِ عَتِيقٍ وَأَيُّوبَ، عن مُحَمَّدِ بنِ سِيرِينَ، عن عِمْرَانَ بنِ حُصَيْنٍ: «أَنَّ رَجُلاً أَعْتَقَ سِتَّةَ أَعْبُدٍ عِنْدَ مَوْتِهِ، وَلَمْ يَكُنْ لَهُ مَالٌ غَيْرُهُمْ. فَبَلَغَ ذَلِكَ النَّبِيَّ ﷺ، فَأَقْرَعَ بَيْنَهُمْ، فَأَعْتَقَ اثْنَيْنِ وَأَرَقَّ أَرْبَعَةً».

[ت11/م11] - بابٌ في من أَعْتَقَ عَبْدًا ولهُ مالٌ

3962 - حدّثنا أَحْمَدُ بنُ صَالِحٍ، قالَ: حدَّثنا ابنُ وَهْبٍ، قالَ: أخبرني ابنُ لَهِيعَةَ واللَّيْثُ بنُ سَعْدٍ، عن عُبَيْدِ اللَّهِ بنِ أَبِي جَعْفَرٍ، عن بُكَيْرِ بنِ الأَشَجِّ، عن نَافِعٍ، عن عَبْدِ اللَّهِ بنِ عُمَرَ، قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ أَعْتَقَ عَبْدًا وَلَهُ مَالٌ، فَمَالُ الْعَبْدِ لَهُ إِلاَّ أَنْ يَشْتَرِطَهُ السَّيِّدُ»**.

[ت12/م12] - بابٌ في عِتْقِ وَلَدِ الزِّنَا

3963 - حدّثنا إِبْرَاهِيمُ بنُ مُوسَى، قالَ: حدَّثنا جَرِيرٌ، عن سُهَيْلِ بنِ أَبِي صَالِحٍ، عن أَبِيهِ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«وَلَدُ الزِّنَا شَرُّ الثَّلَاثَةِ»**، وَقَالَ أَبُو هُرَيْرَةَ: لأَنْ أُمَتِّعَ بِسَوْطٍ فِي سَبِيلِ اللَّهِ عَزَّ وَجَلَّ، أَحَبُّ إِلَيَّ مِنْ أَنْ أُعْتِقَ وَلَدَ زِنْيَةٍ.

[ت13/م13] - بابٌ في ثوابِ العِتْقِ

3964 - حدّثنا عِيسَى بنُ مُحَمَّدٍ الرَّمْلِيُّ قالَ: حدَّثنا ضَمْرَةُ، عن إِبْرَاهِيمَ بنِ أَبِي عَبْلَةَ، عن الغَرِيفِ بنِ الدَّيْلَمِيِّ قال: أَتَيْنَا وَاثِلَةَ بنَ الأَسْقَعِ فَقُلْنَا لَهُ: حَدِّثْنَا حَدِيثًا لَيْسَ فِيهِ زِيَادَةٌ وَلاَ نُقْصَانٌ. فَغَضِبَ وَقَالَ: إِنَّ أَحَدَكُمْ لَيَقْرَأُ وَمُصْحَفُهُ مُعَلَّقٌ فِي بَيْتِهِ، فَيَزِيدُ وَيَنْقُصُ. قُلْنَا: إِنَّمَا

forgetfulness and mistake) even though his Mushaf is hung in his house (and it is too easy for him to check it as much as he likes)." We said: "We mean by that a narration which you really heard from the Messenger of Allah "Allah's blessing and peace be upon him"." He said: "We went to the Messenger of Allah "Allah's blessing and peace be upon him" (to seek his verdict) pertaining to a companion of us, upon whom the fire became binding because of his committing murder. The Messenger of Allah "Allah's blessing and peace be upon him" said: "Emancipate a slave on his behalf, perchance Allah would emancipate by each part of the body of him (the emancipated slave) a part of the body of him (your companion).""

[14] Which Slave Is The Best (And The Most Fitting For Being Emancipated)?

3965- It is narrated on the authority of Abu Najih (Amr Ibn Abasah As-Sulami) that he said: We took part with the Messenger of Allah "Allah's blessing and peace be upon him" in besieging the fort of Ta'if, during which I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "He, who gets an arrow injure (the body of anyone of the enemy) in Allah's Cause, will have a degree (higher for him in the Garden)." I further heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "If any Muslim emancipates a Muslim slave, Allah Almighty will make a shield for each part of his bone with the help of a part of the bone of his emancipated slave (to protect it) from the fire (of Hell); and if any Muslim woman emancipates a Muslim slave woman, Allah Almighty will make a shield for each part of her bone with the help of a part of the bone of her emancipated slave woman (to protect it) from the fire (of Hell) on the Day of Judgement."

3966- It is narrated on the authority of Shurahbil Ibn As-Samt that he said to Amr Ibn Abasah: "Relate to us a narration you really heard from the Messenger of Allah "Allah's blessing and peace be upon him"." He said: "I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Whoever emancipates a believing slave (be he male or female), he will act as his ransom from the fire (of Hell)."

3967- It is narrated on the authority of Shurahbil Ibn As-Samt that he said to Ka'b Ibn Murrah or Murrah Ibn Ka'b: "Relate to us a narration you really heard from the Messenger of Allah "Allah's blessing and peace be upon him"." He said: "I heard the Messenger of Allah "Allah's blessing and

أَرَدْنَا حَدِيثًا سَمِعْتَهُ مِنْ رَسُولِ اللَّهِ ﷺ، قال: أَتَيْنَا رَسُولَ اللَّهِ ﷺ في صاحِبٍ لَنَا أَوْجَبَ ـ يَعْنِي النَّارَ ـ بِالْقَتْلِ، فَقَالَ: «**أَعْتِقُوا عَنْهُ، يُعْتِقِ اللَّهُ بِكُلِّ عُضْوٍ مِنْهُ عُضْوًا مِنْهُ مِنَ النَّارِ**».

[ت14/م14] ـ بابٌ أَيُّ الرِّقابِ أَفْضَلُ؟

3965 ـ حدّثنا مُحَمَّدُ بنُ الْمُثَنَّى، قالَ: حدَّثنا مُعَاذُ بنُ هِشَامٍ، قالَ: حدَّثني أَبِي، عنْ قَتَادَةَ، عنْ سَالِمِ بنِ أَبِي الْجَعْدِ، عنْ مَعْدَانَ بنِ أَبِي طَلْحَةَ الْيَعْمُرِيِّ، عنْ أَبِي نَجِيحٍ السُّلَمِيِّ قالَ: حَاصَرْنَا مَعَ رَسُولِ اللَّهِ بِقَصْرِ الطَّائِفِ ـ قال مُعَاذٌ: سَمِعْتُ أَبِي يَقُولُ: بِقَصْرِ الطَّائِفِ، بِحِصْنِ الطَّائِفِ، كُلَّ ذَلِكَ ـ فَسَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنْ بَلَغَ بِسَهْمٍ فِي سَبِيلِ اللَّهِ عَزَّ وَجَلَّ، فَلَهُ دَرَجَةٌ**» وَسَاقَ الْحَدِيثَ، وَسَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**أَيُّمَا رَجُلٍ مُسْلِمٍ أَعْتَقَ رَجُلاً مُسْلِمًا، فَإِنَّ اللَّهَ عَزَّ وَجَلَّ جَاعِلٌ وِقَاءَ كُلِّ عَظْمٍ مِنْ عِظَامِهِ عَظْمًا مِنْ عِظَامِ مُحَرَّرِهِ مِنَ النَّارِ. وَأَيُّمَا امْرَأَةٍ أَعْتَقَتِ امْرَأَةً مُسْلِمَةً، فَإِنَّ اللَّهَ جَاعِلٌ وِقَاءَ كُلِّ عَظْمٍ مِنْ عِظَامِهَا عَظْمًا مِنْ عِظَامِ مُحَرَّرِهَا مِنَ النَّارِ يَوْمَ الْقِيَامَةِ**».

قالَ أبو دَاوُدَ: أبو نجيح السُّلَمِيُّ هو عمرُو بن عَبَسَةَ.

3966 ـ حدّثنا عَبْدُ الْوَهَّابِ بنُ نَجْدَةَ، قالَ: حدَّثنا بَقِيَّةُ، قالَ: حدَّثنا صَفْوَانُ بنُ عَمْرٍو، قال: حدَّثني سُلَيْمُ بنُ عَامِرٍ، عن شُرَحْبِيلَ بنِ السِّمْطِ أَنَّهُ قالَ لِعَمْرِو بنِ عَبَسَةَ: حدِّثْنَا حديثًا سَمِعْتَهُ مِنْ رَسُولِ اللَّهِ ﷺ، قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَنْ أَعْتَقَ رَقَبَةً مُؤْمِنَةً، كَانَتْ فِدَاءَهُ مِنَ النَّارِ**».

3967 ـ حدّثنا حَفْصُ بنُ عُمَرَ، قال: حدَّثنا شُعْبَةُ، عن عَمْرِو بنِ مُرَّةَ، عن سَالِمِ بنِ أَبِي الْجَعْدِ، عن شُرَحْبِيلَ بنِ السِّمْطِ: أَنَّهُ قال لِكَعْبِ بنِ مُرَّةَ أَوْ مُرَّةَ بنِ كَعْبٍ: حدِّثْنَا حَدِيثًا سَمِعْتَهُ مِنْ رَسُولِ اللَّهِ ﷺ، فَذَكَرَ مَعْنَى

peace be upon him" having said…"and the rest is the same as the narration of Mu'adh Ibn Hisham, with the following addition: "And No one emancipates two slave-women, but that they will act as (causes of) his release from the fire (of Hell): for each part of their bone, a part of his bone (will be delivered from the fire)."

[15] The Excellence Of Emancipation During The Health Time

3968- It is narrated on the authority of Abu Ad-Darda' that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The example of such as emancipates (a slave) at the time of his death is like the example of such as gives a gift when he (eats his fill and) gets satisfied (and becomes not in need of what he gives)."

مُعَاذٍ إِلَى قَوْلِهِ: «**وَأَيُّمَا امْرِىءٍ أَعْتَقَ مُسْلِمًا، وَأَيُّمَا امْرَأَةٍ أَعْتَقَتِ امْرَأَةً مُسْلِمَةً**». وَزَادَ: «**وَأَيُّمَا رَجُلٍ أَعْتَقَ امْرَأَتَيْنِ مُسْلِمَتَيْنِ، إِلاَّ كَانَتَا فِكَاكَهُ مِنَ النَّارِ، يَجْزِي مَكَانَ كُلِّ عَظْمَيْنِ مِنْهُمَا عَظْمٌ مِنْ عِظَامِهِ**».

قال أَبُو دَاوُدَ: سَالِمٌ لَمْ يَسْمَعْ مِنْ شُرَحْبِيلَ، مَاتَ شُرَحْبِيلُ بِصِفِّينَ.

[ت15/م15] ـ بابٌ في فَضْلِ العِتْقِ في الصِّحَّةِ

3968 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ، قال: حدَّثنا سُفْيَانُ، عن أبي إِسْحَاقَ، عن أَبِي حَبِيبَةَ الطَّائِيِّ، عن أَبِي الدَّرْدَاءِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَثَلُ الَّذِي يُعْتِقُ عِنْدَ المَوْتِ، كَمَثَلِ الَّذِي يُهْدِي إِذَا شَبِعَ**».

(24/29) THE BOOK OF THE WAYS OF RECITING QUR'AN

3969- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" recited: "and take you the Station of Abraham as a place of prayer." (Al-Baqarah 125)

3970- It is narrated on the authority of A'ishah that a man stood up at night and went on reciting the Qur'an, and raised his voice. In the morning the Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah's Mercy be upon so and so! Many were the Holy Verses which he made me remember tonight, even though I had missed (forgetfully)."

3971- It is narrated on the authority of Ibn Abbas that he said: Allah's saying: "No prophet could (ever) be false to his trust. If any person is so false, he shall, on the Day of Judgment, restore what he misappropriated" (Al Imran 161) was revealed in connection with a piece of red amaranth lost on the day of (the holy battle of) Badr. Some people said: "Perhaps the Messenger of Allah "Allah's blessing and peace be upon him" has taken it." On that occasion Allah Almighty revealed: "No prophet could (ever) be false to his trust. If any person is so false, he shall, on the Day of Judgment, restore what he misappropriated."

3972- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" said (by way of supplication): "O Allah! I seek refuge with You from (being given to) niggardliness (Bakhl) and geriatric age." (The quotation here is that he "Peace be upon him" uttered "Bakhl" instead of "Bukhl").

3973- It is narrated on the authority of Laqit Ibn Sabrah that he said: I was a member of the delegate of Al-Muntafaq to the Messenger of Allah "Allah's blessing and peace be upon him"...and the Messenger of Allah "Allah's blessing and peace be upon him" said: "Think not that..." (The quotation is that he uttered "Tahsibanna" instead of "Tahsabanna").

3974- It is narrated on the authority of Ibn Abbas that he said: The Muslims caught up with a man to take his belongings, and he saluted them with peace: "Peace be upon you", but they killed him and took his belongings. On that occasion the following statement was revealed: "and say not to anyone who offers you a salutation: "You are none of a Believer!" coveting the perishable goods of this life: with Allah are profits and spoils abundant. Even thus were you yourselves before, till Allah

[29/24] ـ كتابُ الحروفِ والقراءاتِ

[ت000/م1] ـ بابٌ

3969 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ النُّفَيْلِيُّ: حدَّثنا حَاتِمُ بنُ إِسْمَاعِيلَ. (ح)، وحدَّثنا نَصْرُ بنُ عَاصِمٍ: حدثنا يَحْيَى بنُ سَعِيدٍ، عن جَعْفَرِ بنِ مُحَمَّدٍ، عن أَبِيهِ، عن جَابِرٍ: أَنَّ النَّبِيَّ ﷺ قَرَأَ: ﴿وَٱتَّخِذُوا۟ مِن مَّقَامِ إِبْرَٰهِـۧمَ مُصَلًّى﴾ [البقرة: 125].

[ت000/م2]

3970 ـ حدّثنا مُوسَى ـ يَعْني ابنَ إِسْمَاعِيلَ ـ: حدَّثنا حَمَّادٌ، عن هِشَامِ بنِ عُرْوَةَ، عن عُرْوَةَ، عن عَائِشَةَ: أَنَّ رَجُلاً قَامَ مِنَ اللَّيْلِ يَقْرَأُ فَرَفَعَ صَوْتَهُ بالْقُرْآنِ، فَلَمَّا أَصْبَحَ قَالَ رَسُولُ اللَّهِ ﷺ: «**يَرْحَمُ اللَّهُ فُلاَنًا! كَائِنٍ مِنْ آيَةٍ أَذْكَرَنِيهَا اللَّيْلَةَ كُنْتُ قَدْ أُسْقِطْتُهَا**».

[ت000/م3]

3971 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ، حدثنا عَبْدُ الْوَاحِدِ بنُ زِيَادٍ: حدثنا خُصَيْفٌ: حدثنا مِقْسَمٌ مَوْلَى ابنِ عَبَّاسٍ قال: قال ابنُ عَبَّاسٍ رضي اللَّهُ عنهما: «نَزَلَتْ هَذِهِ الآيَةُ: ﴿وَمَا كَانَ لِنَبِيٍّ أَن يَغُلَّ﴾ [آل عمران: 161] فِي قَطِيفَةٍ حَمْرَاءَ فُقِدَتْ يَوْمَ بَدْرٍ، فَقَالَ بَعْضُ النَّاسِ: لَعَلَّ رَسُولَ اللَّهِ ﷺ أَخَذَهَا، فَأَنْزَلَ اللَّهُ: ﴿وَمَا كَانَ لِنَبِيٍّ أَن يَغُلَّ﴾ إِلَى آخِرِ الآيَةِ».

قال أَبُو دَاوُدَ: يَغُلَّ مَفْتُوحَةَ الْيَاءِ.

[ت000/م4]

3972 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى: حدَّثنا مُعْتَمِرٌ، قالَ: سَمِعْتُ أَبِي قَالَ: سَمِعْتُ أَنَسَ بنَ مَالِكٍ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «**اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْبَخَلِ وَالْهَرَمِ**».

قال أَبُو دَاوُدَ: مَفْتُوحَةُ الْبَاءِ وَالْخَاءِ.

[ت000/م5]

3973 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا يَحْيَى بنُ سُلَيْمٍ، عن إِسْمَاعِيلَ بنِ كَثِيرٍ، عن عَاصِمِ بنِ لَقِيطِ بنِ صَبِرَةَ، عن أَبِيهِ لَقِيطِ بنِ صَبِرَةَ قَالَ: كُنْتُ وَافِدَ بَنِي الْمُنْتَفِقِ، أَوْ فِي وَفْدِ بَنِي الْمُنْتَفِقِ إِلَى رَسُولِ اللَّهِ ﷺ، فَذَكَرَ الْحَدِيثَ. فَقَالَ ـ يَعْني النَّبِيَّ ﷺ ـ: «**لاَ تَحْسِبَنَّ**»، وَلَمْ يَقُلْ: «**لاَ تَحْسَبَنَّ**».

[ت000/م6]

3974 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى: حدَّثنا سُفْيَانُ: حدَّثنا عَمْرُو بنُ دِينَارٍ، عن عَطَاءٍ، عن ابنِ عَبَّاسٍ قال: «لَحِقَ الْمُسْلِمُونَ رَجُلاً فِي غُنَيْمَةٍ لَهُ، فقال: السَّلاَمُ عَلَيْكُمْ، فَقَتَلُوهُ وَأَخَذُوا تِلْكَ الْغُنَيْمَةَ، فَنَزَلَتْ: ﴿وَلَا تَقُولُوا۟ لِمَنْ أَلْقَىٰٓ إِلَيْكُمُ ٱلسَّلَـٰمَ لَسْتَ مُؤْمِنًا تَبْتَغُونَ

conferred on you His favours: therefore carefully investigate. For Allah is well aware of all that you do.." (An-Nisa 94)

3975- It is narrated on the authority of Kharijah Ibn Zaid Ibn Thabit from his father that the Messenger of Allah "Allah's blessing and peace be upon him" used to recite: "but not those having (disabling) hurt." (An-Nisa 95) (The quotation here is not clear in the absence of the following narration on the authority of Kharijah Ibn Zaid that Zaid said: I was sitting by the side of the Messenger of Allah "Allah's blessing and peace be upon him" when he was Divinely revealed, and he was covered up with slumber. When he was covered up with slumber, he placed his thigh on mine, and behold, by Allah, I've ever felt nothing heavier than the thigh of the Messenger of Allah "Allah's blessing and peace be upon him" (while being in such a state). When this state was over, he said to me: "Write O Zaid!" I took a shoulder-blade and wrote: "Not equal are those Believers who sit (at home) and those who strive and fight in the Cause of Allah with their property and themselves... greater reward." He (Zaid) recorded that in a shoulder-blade. Then Ibn Umm Maktum, who was a blind, got up when he heard it, and learnt the superiority of those fighters (in the Cause of Allah), and said: "O Messenger of Allah! What about him who could not take part in Jihad because of such (disabling) ailments as blindness and so?" by Allah! He had no sooner finished his statement than the Messenger of Allah "Allah's blessing and peace be upon him" was covered up with slumber, with his thigh falling on mine, and I felt in it the same heaviness I had felt in the first time. When this state was over, he said to me: "Recite!" I recited to him: "Not equal are those Believers who sit (at home)..." he interrupted me saying: "but not those having (disabling) hurt", "and those who strive and fight in the Cause of Allah with their property and themselves." Then, I inserted it, and by Allah, it seems to me as I am looking at the place in which I inserted it, as if it were a rupture in the shoulder-blade.

3976- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" recited: "And eye for eye" (Al-Ma'idah 45) (i.e. pertaining to the implementation of the law of equality).

3977- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah "Allah's blessing and peace be upon him" recited: "We ordained therein for them: life for life, eye for eye, nose for nose, ear for ear, tooth for tooth, and wounds equal for equal." (Al-Ma'idah 45)

3978- It is narrated on the authority of Atiyyah Ibn Sa'd Al-Awfi that he said: I recited to Ibn Umar: "It is Allah Who created you in a state of

عَرَضَ ٱلْحَيَوٰةِ ٱلدُّنْيَا﴾ [النساء: 94] تِلْكَ الْغُنَيْمَةَ».

[ت000/ م7]

3975 ـ حدّثنا سَعِيدُ بنُ مَنْصُورٍ: حدَّثنا ابنُ أبي الزِّنَادِ. (ح)، وحدَّثنا مُحَمَّدُ بنُ سُلَيْمَانَ الأَنْبَارِيُّ: حدَّثنا حَجَّاجُ بنُ مُحَمَّدٍ، عن ابنِ أَبِي الزِّنَادِ، وَهُوَ أَشْبَعُ، عن أَبِيهِ، عن خَارِجَةَ بنِ زَيْدِ بنِ ثَابِتٍ، عن أَبِيهِ: أَنَّ النَّبِيَّ ﷺ كَانَ يَقْرَأُ: ﴿غَيْرُ أُوْلِي ٱلضَّرَرِ﴾ [النساء: 95]، وَلَمْ يَقُلْ سَعِيدٌ: كَانَ يَقْرَأُ.

[ت000/ م8] ـ باب

3976 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ، وَمُحَمَّدُ بنُ الْعَلاَءِ قالاَ: حدَّثنا عَبْدُ اللَّهِ بنُ الْمُبَارَكِ: حدَّثنا يُونُسُ بنُ يَزِيدَ، عَنْ أَبِي عَلِيِّ بنِ يَزِيدَ، عن الزُّهْرِيِّ، عن أَنَسِ بنِ مَالِكٍ قالَ: «قَرَأَهَا رَسُولُ اللَّهِ ﷺ: ﴿**وَالْعَيْنُ بالْعَيْنِ**﴾ [المائدة: 45]».

[ت000/ م9]

3977 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ: حدَّثنا أَبِي: حدَّثنا عَبْدُ اللَّهِ بنُ الْمُبَارَكِ: حدَّثنا يُونُسُ بنُ يَزِيدَ، عن أَبي عَلِيِّ بنِ يَزِيدَ، عن الزُّهْرِيِّ، عن أَنَسِ بنِ مَالِكٍ رضي اللَّهُ عنه: «أَنَّ النَّبِيَّ ﷺ قَرَأَ: ﴿**وَكَتَبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بالنَّفْسِ وَالْعَيْنُ بالْعَيْنِ**﴾ [المائدة: 45]».

[ت000/ م10]

3978 ـ حدّثنا النُّفَيْلِيُّ: حدَّثنا زُهَيْرٌ: حدَّثنا فُضَيْلُ بنُ مَرْزُوقٍ، عن عَطِيَّةَ بنِ سَعْدٍ الْعَوْفِيِّ قال: «قَرَأْتُ عِنْدَ عَبْدِ اللَّهِ بنِ عُمَرَ ﴿**اللَّهُ الَّذِي خَلَقَكُم**

(helpless) weakness "Da'f"." (Ar-Rum 54) Abdullah Ibn Umar said to me: "No, it is "Du'f" (and not Da'f). when I recited it to the Messenger of Allah "Allah's blessing and peace be upon him" in the same way as you have done now, he corrected it for me in the same way as I've corrected it for you now."

3979- The same is narrated on the authority of Abu Sa'id from the Messenger of Allah "Allah's blessing and peace be upon him", in which he substitutes "Du'f" for "Da'f".

3980- It is narrated on the authority of Abd Ar-Rahman Ibn Abza that he said: Ubai Ibn Ka'b recited: "In the Bounty of Allah, And in His Mercy, in that let you rejoice" (instead of "let them rejoice") (Yunus 58)

3981- It is narrated on the authority of Abd Ar-Rahman Ibn Abza that Ubai Ibn Ka'b told that the Messenger of Allah "Allah's blessing and peace be upon him" recited: "In the Bounty of Allah, And in His Mercy, in that let you rejoice: that is better than the (wealth) you hoard" (instead of "let them rejoice: that is better than the (wealth) they hoard") (Yunus 58)

3982- It is narrated on the authority of Asma' Bint Yazid that she heard the Messenger of Allah "Allah's blessing and peace be upon him" having recited: "He has proved unrighteous in conduct" (instead of "his conduct is unrighteous") (Hud 46)

3983- It is narrated on the authority of Shahr Ibn Hawshab that he said: I asked Umm Salamah: How did the Messenger of Allah "Allah's blessing and peace be upon him" recite (Allah's saying): "his conduct is unrighteous"? she said: He recited it: "He has proved unrighteous in conduct."

3984- It is narrated on the authority of Ibn Abbas that he said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" supplicated, he would start with himself. Once he said: "Allah's Mercy be upon us and (the Prophet) Moses: had he kept more patient he would have seen more marvels from his companion (Al-Khadir). But he said to him: "If ever I ask you about anything after this, keep me not in thy company: then wouldst you have received (full) excuse from my side"" (Al-Kahf 76) prolonging the expression "Ladunni".

3985- The same is narrated on the authority of Ibn Abbas from Ubai Ibn Ka'b from the Messenger of Allah "Allah's blessing and peace be upon him".

مِنْ ضَعْفٍ﴾ [الروم: 54] فقال: ﴿مِنْ ضُعْفٍ﴾ قَرَأْتُهَا عَلَى رَسُولِ اللَّهِ ﷺ كَمَا قَرَأْتَهَا عَلَيَّ، فَأَخَذَ عَلَيَّ كَمَا أَخَذْتُ عَلَيْكَ».

[ت000/م11]

3979 - حدّثنا مُحَمَّدُ بنُ يَحيَى الْقُطَعِيُّ: حدَّثنا عُبَيْدٌ ـ يَعْنِي ابنَ عَقِيلٍ ـ، عن هَارُونَ، عن عَبْدِ اللَّهِ بنِ جَابِرٍ، عن عَطِيَّةَ، عن أَبِي سَعِيدٍ، عن النَّبِيِّ ﷺ: ﴿مِنْ ضُعْفٍ﴾.

[ت000/م12]

3980 - حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: حدَّثنا سُفْيَانُ، عن أَسْلَمَ المِنْقَرِيِّ، عن عَبْدِ اللَّهِ، عن أَبِيهِ عَبْدِ الرَّحْمَنِ بنِ أَبْزَى قال: قال أُبَيُّ بنُ كَعْبٍ: ﴿بِفَضْلِ اللَّهِ وَبِرَحْمَتِهِ فَبِذَلِكَ فَلْتَفْرَحُوا﴾ [يونس: 58].

[ت000/م13]

3981 - حدّثنا مُحَمَّدُ بنُ عَبْدِ اللَّهِ: حدَّثنا المُغِيرَةُ بنُ سَلَمَةَ: حدَّثنا ابنُ المُبَارَكِ، عن الأَجْلَحِ: حدَّثني عَبْدُ اللَّهِ بنُ عَبْدِ الرَّحْمَنِ بنِ أَبْزَى، عن أَبِيهِ، عن أُبَيٍّ: أَنَّ النَّبِيَّ ﷺ قَرَأَ: ﴿بِفَضْلِ اللَّهِ وَبِرَحْمَتِهِ فَبِذَلِكَ فَلْتَفْرَحُوا هُوَ خَيْرٌ مِمَّا تَجْمَعُونَ﴾ [يونس: 58].

قال أبو داودَ: بالتاء.

[ت000/م14]

3982 - حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن ثَابِتٍ، عن شَهْرِ بنِ حَوْشَبٍ، عن أَسْمَاءَ بِنْتِ يَزِيدَ: أَنَّهَا سَمِعَتِ النَّبِيَّ ﷺ يَقْرَأُ: ﴿إِنَّهُ عَمِلَ غَيْرَ صَالِحٍ﴾[هود: 46].

[ت000/م15]

3983 - حدّثنا أَبُو كَامِلٍ: حدَّثنا عَبْدُ الْعَزِيزِ ـ يَعْنِي ابنَ المُخْتَارِ ـ: حدَّثنا ثَابِتٌ، عن شَهْرِ بنِ حَوْشَبٍ قالَ: سَأَلْتُ أُمَّ سَلَمَةَ كَيْفَ كَانَ رَسُولُ اللَّهِ ﷺ يَقْرَأُ هَذِهِ الآيَةَ: ﴿إِنَّهُ عَمَلٌ غَيْرُ صَالِحٍ﴾ [هود: 46]؟ فقالَتْ: قَرَأَهَا ﴿إِنَّهُ عَمِلَ غَيْرَ صَالِحٍ﴾[هود: 46].

قال أَبُو دَاوُدَ: رَوَاهُ هَارُونُ النَّحْوِيُّ وَمُوسَى بنُ خَلَفٍ، عن ثَابِتٍ، كَمَا قَالَ عَبْدُ الْعَزِيزِ.

[ت000/م16]

3984 - حدّثنا إِبْرَاهِيمُ بنُ مُوسَى: أخبرنا عِيسَى، عن حَمْزَةَ الزَّيَّاتِ، عن أَبِي إِسْحَاقَ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ، عن أُبَيِّ بنِ كَعْبٍ قال: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا دَعَا بَدَأَ بِنَفْسِهِ، وَقَالَ: «رَحْمَةُ اللَّهِ عَلَيْنَا وَعَلَى مُوسَى، لَوْ صَبَرَ لَرَأَى مِنْ صَاحِبِهِ الْعَجَبَ»، وَلَكِنَّهُ قال: ﴿إِنْ سَأَلْتُكَ عن شَيْءٍ بَعْدَهَا فَلاَ تُصَاحِبْنِي قَدْ بَلَغْتَ مِن لَّدُنِّي عذرًا﴾ [الكهف: 76] طَوَّلَهَا حَمْزَةُ».

[ت000/م17]

3985 - حدّثنا مُحَمَّدُ بنُ عَبْدِ الرَّحْمَنِ أَبُو عَبْدِ اللَّهِ الْعَنْبَرِيُّ: حدَّثنا أُمَيَّةُ بنُ خَالِدٍ: حدَّثنا أَبُو الْجَارِيَةِ الْعَبْدِيُّ، عن شُعْبَةَ، عن أَبِي إِسْحَاقَ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ، عن أُبَيِّ بنِ كَعْبٍ، عن النَّبِيِّ ﷺ أَنَّهُ قَرَأَهَا: ﴿قَدْ بَلَغْتَ مِن لَّدُنِّي﴾ [الكهف: 76] وَثَقَّلَهَا.

3986- It is narrated on the authority of Ibn Abbas that he said: Ubai Ibn Ka'b made me recite in the way the Messenger of Allah "Allah's blessing and peace be upon him" had made him recite: "Until, when he reached the setting of the sun, he found it set in a spring of murky water." (Al-Kahf 86)

3987- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Verily, anyone from amongst the inhabitants of the highest positions (in the Garden) will have a glimpse of (such as is below him from amongst) the inhabitants of the Garden, thereupon the Garden will shine for the sake of his face, in the same way as if it is a shining star; and indeed, Abu Bakr and Umar belong to those (of the highest positions); and they are the most fitting for that!"

3988- It is narrated on the authority of Farwah Ibn Musaik Al-Ghutaifi that he said: I went to the Messenger of Allah "Allah's blessing and peace be upon him"...and a man asked him: "O Messenger of Allah! Tell us about Sheba: is it a land or a woman?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "It is neither land nor woman: it refers to a man who begot ten from amongst the Arabs (i.e. (to whom ten Arab branches belong), six of whom went and resided in Yemen, and four in Sham."

3989- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" told us the story of the Divine Revelation and said: "This is the significance of the statement of Allah Almighty: "So far (is this the case) that, when terror is removed from their hearts." (Sheba 23) (This narration could not be understood except within the full context: "When Allah has ordained some affair in the Heaven, the angels beat with their wings in obedience to His statement, which sounds like a chain dragged over a rock. When terror is removed from their hearts, then they will say: "What is it that your Lord Commanded?" they will say: "That which is true and just; and He is the Most High, Most Great."

3990- It is narrated on the authority of Ar-Rabie Ibn Anas that Umm Salamah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", told him: The Messenger of Allah "Allah's blessing and peace be upon him" recited this statement as follows: "(The reply will be:) 'Nay, but there came to you My Signs, and you did reject them: you were haughty, and became one of those who reject Faith!'" (Az-Zumar 59)

[ت000/ م18]

3986 ـ حدّثنا مُحَمَّدُ بنُ مَسْعُودٍ المِصِّيصِيُّ: حدَّثنا عَبْدُ الصَّمَدِ بنُ عَبْدِ الْوَارِثِ، حدثنا مُحَمَّدُ بنُ دِينَارٍ: حدَّثنا سَعْدُ بنُ أَوْسٍ، عن مِصْدَعٍ أَبِي يَحْيَى قال: سَمِعْتُ ابنَ عَبَّاسٍ يَقُولُ: «أَقْرَأَنِي أُبَيُّ بنُ كَعْبٍ، كَمَا أَقْرَأَهُ رَسُولُ اللَّهِ ﷺ **﴿فِي عَيْنٍ حَمِئَةٍ﴾** [الكهف: 86] مُخَفَّفَةً».

قال أَبُو دَاوُدَ: قُرِئَتْ خَفِيفَةً.

[ت000/ م19]

3987 ـ حدّثنا يَحْيَى بنُ الْفَضْلِ: حدَّثنا وُهَيْبُ بنُ عَمْرٍو النَّمَرِيُّ: حدَّثنا هَارُونُ: أخبرنا أَبَانُ بنُ تَغْلِبَ، عن عَطِيَّةَ الْعَوْفِيِّ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ: أَنّ النَّبِيَّ ﷺ قال: «**إِنَّ الرَّجُلَ مِنْ أَهْلِ عِلِّيِّينَ لَيُشْرِفُ عَلَى أَهْلِ الْجَنَّةِ، فَتُضِيءُ الْجَنَّةُ لِوَجْهِهِ كَأَنَّهَا كَوْكَبٌ دُرِّيٌّ**». ـ قالَ: وَهَكَذَا جَاءَ الحديثُ «**دُرِّيٌّ**» مَرْفُوعَةَ الدَّالِ لاَ تُهْمَزُ ـ «**وَإِنَّ أَبَا بَكْرٍ وَعُمَرَ لَمِنْهُمْ وَأَنْعِماً**».

[ت000/ م20]

3988 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ وَهَارُونُ بنُ عَبْدِ اللَّهِ قالاَ: حدَّثنا أَبُو أُسَامَةَ: حدَّثني الْحَسَنُ بنُ الْحَكَمِ النَّخَعِيُّ: حدثنا أَبُو سَبْرَةَ النَّخَعِيُّ، عن فَرْوَةَ بنِ مُسَيْكٍ الْغُطَيْفِيِّ قال: أَتَيْتُ النَّبِيَّ ﷺ ـ فَذَكَرَ الحديثَ ـ فقال رَجُلٌ مِنَ الْقَوْمِ: يَا رَسُولَ اللَّهِ: أَخْبِرْنَا عَنْ سَبَإٍ مَا هُوَ: أَرْضٌ، أم امْرَأَةٌ؟ قال: «**لَيْسَ بِأَرْضٍ وَلاَ امْرَأَةٍ، وَلَكِنَّهُ رَجُلٌ وَلَدَ عَشَرَةً مِنَ الْعَرَبِ، فَتَيَامَنَ سِتَّةٌ وَتَشَاءَمَ أَرْبَعَةٌ**». قال عُثْمَانُ: الْغَطَفَانِيِّ مَكَانَ الْغُطَيْفِيِّ، وَقالَ: حدثنا الْحَسَنُ بنُ الْحَكَمِ النَّخَعِيُّ.

[ت000/ م21]

3989 ـ حدّثنا أَحْمَدُ بنُ عَبْدَةَ وَإِسْمَاعِيلُ بنُ إِبْرَاهِيمَ أَبُو مَعْمَرٍ الْهُذَلِيُّ، عن سُفْيَانَ، عن عَمْرٍو، عن عِكْرِمَةَ، قال: حدَّثنا أَبُو هُرَيْرَةَ، عن النَّبِيِّ ﷺ. قالَ إِسْمَاعِيلُ: عن أَبِي هُرَيْرَةَ رِوَايَةً، فَذَكَرَ حَدِيثَ الْوَحْيِ. قال: فَذَلِكَ قَوْلُهُ تَعَالَى: **﴿حَتَّى إِذَا فُزِّعَ عَنْ قُلُوبِهِمْ﴾** [سبأ: 23].

[ت000/ م22]

3990 ـ حدّثنا مُحَمَّدُ بنُ رَافِعٍ النَّيْسَابُورِيُّ: حدَّثنا إِسْحَاقُ بنُ سُلَيْمَانَ الرَّازِيُّ، قال: سَمِعْتُ أَبَا جَعْفَرٍ يَذْكُرُ، عن الرَّبِيعِ بنِ أَنَسٍ، عن أُمِّ سَلَمَةَ زَوْجِ النَّبِيِّ ﷺ قَالَتْ: قِرَاءَةُ النَّبِيِّ ﷺ: **﴿بَلَى قَدْ جَاءَتْكِ آيَاتِي فَكَذَّبْتِ بِهَا وَاسْتَكْبَرْتِ وَكُنْتِ مِنَ الْكَافِرِينَ﴾** [الزمر: 59].

قال أَبُو دَاوُدَ: هَذَا مُرْسَلٌ، الرَّبِيعُ لَمْ يُدْرِكْ أُمَّ سَلَمَةَ.

3991- It is narrated on the authority of A'ishah that she said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having recited: "(There is for him) Rest and Satisfaction, and a Garden of Delights." (Al-Waqi'ah 89)

3992- It is narrated on the authority of Safwan Ibn Ya'li from his father: I heard The Prophet "Allah's blessing and peace be upon him" reciting on the pulpit: "They will cry: O Malik! Would that thy Lord put an end to us! He will say, nay, but you shall abide!" (Az-Zukhruf 77)

3993- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" made me recite the following statement as such: "For I'm (Allah) Who gives (all) Sustenance, - Lord of Power - steadfast (forever)." (Adh-Dhariyat 58)

3994- It is narrated on the authority of Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" used to recite the following statement (in the Surah of Al-Qamar): "then is there any that will receive admonition (Muddakir)?"

3995- It is narrated on the authority of Jabir Ibn Abdullah that he said: I saw the Messenger of Allah "Allah's blessing and peace be upon him" having recited (the following statement as such): "Thinking that his wealth would make him last for ever!" (Al-Humazah 3)

3996- It is narrated on the authority of Abu Qilabah that the Messenger of Allah "Allah's blessing and peace be upon him" made somebody recite (the following statement as such): "For, that Day, his Chastisement will be such as none (else) can be afflicted, And His bonds will be such as none (other) can be bound" (Al-Fajr 25:26)

3997- It is narrated on the authority of Abu Qilabah that the Messenger of Allah "Allah's blessing and peace be upon him" made somebody recite (the following statement as such): "For, that Day, his Chastisement will be such as none (else) can be afflicted, And His bonds will be such as none (other) can be bound" (Al-Fajr 25:26)

Abu Dawud says: Almost all the glorious companions and their followers such as Asim, Talhah Ibn Musarrif, Al-A'mash, Abdullah Ibn Kathir, Abu Amr Ibn Al-Ala', Hamzah, Abd Ar-Rahman Al-A'raj, Qatadah, Al-Hasan Al-Basri, Mujahid, Humaid, Abdullah Ibn Abbas, Abd Ar-Rahman Ibn Abu Bakr, and others, recited it as follows: For, that Day, his Chastisement will be such as none (else) can inflict, And His bonds will

[ت000/م23]

3991 ـ حدّثنا مُسْلِمُ بنُ إبْرَاهِيمَ: حدَّثنا هَارُونُ بنُ مُوسَى النَّحْوِيُّ، عن بُدَيْلِ بنِ مَيْسَرَةَ، عن عَبْدِ اللَّهِ بنِ شَقِيقٍ، عن عَائِشَةَ قَالَتْ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقْرَؤُهَا ﴿فَرُوحٌ وَرَيْحَانٌ﴾ [الواقعة: 89].

قال أَبُو عِيسَى: بَلَغَنِي عن أَبِي دَاوُدَ أَنَّهُ قال: هَذَا حديثٌ مُنْكَرٌ.

[ت000/م24]

3992 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ وَأَحْمَدُ بنُ عَبْدَةَ قالاَ: حدَّثنا سُفْيَانُ، عن عَمْرٍو، عن عَطَاءٍ، قال ابنُ حَنْبَلٍ ـ يَعْنِي عن عَطَاءٍ ـ قال ابنُ حَنْبَلٍ: لَمْ أَفْهَمْ جَيِّدًا عن صَفْوَانَ ـ قال ابنُ عَبْدَةَ: ابن يَعْلَى ـ عن أَبِيهِ قَالَ: سَمِعْتُ النَّبِيَّ ﷺ عَلَى المِنْبَرِ يَقْرَأُ: ﴿وَنَادَوْا يَا مَالِكُ﴾ [الزخرف: 77].

قال أَبُو دَاوُدَ: يَعْنِي بِلاَ تَرْخِيمٍ.

[ت000/م25]

3993 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ: حدَّثنا أَبُو أَحْمَدَ: حدَّثنا إِسْرَائِيلُ، عن أَبِي إِسْحَاقَ، عن عَبْدِ الرَّحْمَنِ بنِ يَزِيدَ، عن عَبْدِ اللَّهِ قال: أَقْرَأَنِي رَسُولُ اللَّهِ ﷺ: ﴿إِنِّي أَنَا الرَّزَّاقُ ذُو الْقُوَّةِ الْمَتِينُ﴾[الذاريات: 58].

[ت000/م26]

3994 ـ حدّثنا حَفْصُ بنُ عُمَرَ: حدَّثنا شُعْبَةُ، عن أَبِي إِسْحَاقَ، عن الأَسْوَدِ، عن عَبْدِ اللَّهِ: أَنَّ النَّبِيَّ ﷺ كَانَ يَقْرَؤُهَا: ﴿فَهَلْ مِن مُّدَّكِرٍ﴾ [القمر: 22] يَعْنِي مُثَقَّلاً.

قال أَبُو دَاوُدَ: مَضْمُومَةَ المِيمِ، مَفْتُوحَةَ الدَّالِ، مَكْسُورَةَ الْكَافِ.

[ت000/م27]

3995 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا عَبْدُ المَلِكِ بنُ عَبْدِ الرَّحْمَنِ الذِّمَارِيُّ: حدثنا سُفْيَانُ: حدَّثني مُحَمَّدُ بنُ المُنْكَدِرِ، عن جَابِرٍ قال: رَأَيْتُ النَّبِيَّ ﷺ يَقْرَأُ: ﴿أَيَحْسَبُ أَنَّ مَالَهُ أَخْلَدَهُ﴾ [الهمزة: 3].

[ت000/م28]

3996 ـ حدّثنا حَفْصُ بنُ عُمَرَ: حدَّثنا شُعْبَةُ، عن خَالِدٍ، عن أَبِي قِلاَبَةَ، عَمَّنْ أَقْرَأَهُ رَسُولُ اللَّهِ ﷺ: ﴿فَيَوْمَئِذٍ لاَ يُعَذَّبُ عَذَابَهُ أَحَدٌ * وَلاَ يُوثَقُ وَثَاقَهُ أَحَدٌ﴾ [الفجر: 25 ـ 26].

قال أَبُو دَاوُدَ: بَعْضُهُمْ أَدْخَلَ بَيْنَ خَالِدٍ وَأَبِي قِلاَبَةَ رَجُلاً.

[ت000/م29]

3997 ـ حدّثنا مُحَمَّدُ بنُ عُبَيْدٍ: حدَّثنا حَمَّادٌ، عن خَالِدٍ الْحَذَّاءِ، عن أَبِي قِلاَبَةَ، قال: أنبأني مَنْ أَقْرَأَهُ النَّبِيُّ ﷺ، أَوْ مَنْ أَقْرَأَهُ مَنْ أَقْرَأَهُ النَّبِيُّ ﷺ: ﴿فَيَوْمَئِذٍ لاَ يُعَذَّبُ﴾ [الفجر: 25].

قال أَبُو دَاوُدَ: قَرَأَ عَاصِمٌ، وَالأَعْمَشُ، وَطَلْحَةُ بنُ مُصَرِّفٍ، وَأَبُو جَعْفَرٍ يَزِيدُ بنُ الْقَعْقَاعِ، وَشَيْبَةُ بنُ نِصَاحٍ، وَنَافِعُ بنُ عَبْدِ الرَّحْمَنِ، وَعَبْدُ اللَّهِ بنُ كَثِيرٍ الدَّارِيُّ، وَأَبُو عَمْرِو بنُ الْعَلاَءِ، وَحَمْزَةُ الزَّيَّاتُ، وَعَبْدُ الرَّحْمَنِ الأَعْرَجُ، وَقَتَادَةُ، وَالْحَسَنُ الْبَصْرِيُّ، وَمُجَاهِدٌ وَحُمَيْدٌ الأَعْرَجُ، وَعَبْدُ اللَّهِ بنُ

be such as none (other) can bind." This means that the previous form of recitation is not famous except in this narration.

3998- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" related to us something, in which he made a mention of Gabriel and Michael, but he uttered them as "Gibra'il and Mikha'il".

Abu Dawud says: Khalaf said: For forty years, I've not lifted the pen from writing the letters, and nothing has troubled me more than (the pronunciation of) "Gibra'il and Mikha'il" has done.

3999- It is narrated on the authority of Muhammad Ibn Khazim that he said: The pronunciation of "Gibra'il and Mikha'il" was mentioned in the presence of Al-A'mash, thereupon he related to us on the authority of Abu Sa'id Al-Khudri that the Messenger of Allah "Allah's blessing and peace be upon him" made a mention of the One of the Trumpet (i.e. the angel Israfil), thereupon he said: "And Gibra'il will be on his right, and Mikha'il on his left."

4000- It is narrated on the authority of Az-Zuhri that the Messenger of Allah "Allah's blessing and peace be upon him", Abu Bakr, Umar and Uthman recited: "Master "Malik" of the Day of Judgement"; and Marwan was the first to recite it "The king of the Day of Judgement."

4001- It is narrated on the authority of Umm Salamah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" used to recite (the Opening of the Book) as follows: "In the name of Allah, Most Gracious, Most Merciful. Praise be to Allah, the Cherisher and Sustainer of the worlds; Most Gracious, Most Merciful; King of the Day of Judgment."

4002- It is narrated on the authority of Abu Dharr that he said: I was riding behind the Messenger of Allah "Allah's blessing and peace be upon him" on a donkey at the time of sunset, and he said to me: "Do you know where this (sun) sets?" I said: "Allah and His Messenger know better." On that he said: "It sets in a hot (instead of murky) spring."

4003- It is narrated on the authority of Ibn Al-Asqa' that the Messenger of Allah "Allah's blessing and peace be upon him" visited them near the (gate of) Suffah, (there were the gatherings of the poor amongst) the Muhajirs, thereupon a man asked him: "O Messenger of Allah! Which Holy Verse in the Qur'an is the greatest (in reward of recitation, even though the whole Qur'an is the best to recite)?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "(It is Allah's saying) "Allah! There

عَبَّاسٍ، وَعَبْدُ الرَّحْمَنِ بنُ أَبِي بَكْرٍ: ﴿لاَ يُعَذِّبُ﴾ و﴿لاَ يُوثِقُ﴾، إلاَّ الحديثَ المَرْفُوعَ فَإنَّهُ ﴿يُعَذَّبُ﴾ بالْفَتحِ.

[ت000/م30]

3998 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ وَمُحَمَّدُ بنُ الْعَلاَءِ: أَنَّ مُحَمَّدَ بنَ أَبِي عُبَيْدَةَ حَدَّثَهُمْ قال: حدَّثنا أَبِي، عن الأَعْمَشِ، عن سَعْدٍ الطَّائِيِّ، عن عَطِيَّةَ الْعَوْفِيِّ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ قال: «حَدَّثَ رَسُولُ اللَّهِ ﷺ حَدِيثًا ذَكَرَ فِيهِ جِبْرِيلَ وَمِيكَالَ، فَقَالَ: جِبْرَائِلَ وَمِيكَائِلَ».

[ت000/م31]

3999 ـ حدّثنا زَيْدُ بنُ أَخْزَمَ: حدَّثنا بِشْرٌ ـ يَعْنِي ابنَ عُمَرَ ـ: حدَّثنا مُحَمَّدُ بنُ خَازِمٍ قال: ذُكِرَ كَيْفَ قِرَاءَةُ جِبْرَائِلَ وَمِيكَائِلَ عِنْدَ الأَعْمَشِ، فحدَّثنا الأَعْمَشُ، عن سَعْدٍ الطَّائِيِّ، عن عَطِيَّةَ الْعَوْفِيِّ، عن أبي سَعِيدٍ الْخُدْرِيِّ قال: ذَكَرَ رَسُولُ اللَّهِ ﷺ صَاحِبَ الصُّورِ، فقالَ: «**عَنْ يَمِينِهِ جِبْرَائِلُ، وَعَنْ يَسَارِهِ مِيكَائِلُ**».

قال أَبُو دَاوُدَ: قال خَلَفٌ: مُنْذُ أَرْبَعِينَ سَنَةً لَمْ أَرْفَعِ الْقَلَمَ عَنْ كِتَابَةِ الْحُرُوفِ، مَا أَعْيَانِي شَيْءٌ مَا أَعْيَانِي جِبْرِيلُ وَمِيكَائِلُ.

[ت000/م32]

4000 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدثنا عَبْدُ الرَّزَّاقِ: أخبرنا مَعْمَرٌ، عن الزُّهْرِيِّ ـ قالَ مَعْمَرٌ: وَرُبَّمَا ذَكَرَ ابنَ الْمُسَيَّبِ ـ قال: «كَانَ النَّبِيُّ ﷺ وَأَبُو بَكْرٍ وَعُمَرُ وَعُثْمَانُ يَقْرَؤُونَ: ﴿**مَلِكِ يَوْمِ الدِّينِ**﴾، وَأَوَّلُ مَنْ قَرَأَهَا ﴿**مَالِكِ يَوْمِ الدِّينِ**﴾ مَرْوَانُ».

قال أَبُو دَاوُدَ: هَذَا أَصَحُّ مِنْ حَدِيثِ الزُّهْرِيِّ، عن أَنَسٍ. وَالزُّهْرِيِّ، عن سَالِمٍ، عن أَبِيهِ.

[ت000/م33]

4001 ـ حدّثنا سَعِيدُ بنُ يَحْيَى الأُمَوِيُّ: حدَّثني أَبِي: حدَّثنا ابنُ جُرَيْجٍ، عن عَبْدِ اللَّهِ بنِ أَبِي مُلَيْكَةَ، عن أُمِّ سَلَمَةَ أَنَّهَا ذَكَرَتْ ـ أَوْ كَلِمَةً غَيْرَهَا ـ قِرَاءَةَ رَسُولِ اللَّهِ ﷺ: ﴿**بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ * الْحَمْدُ للَّهِ رَبِّ الْعَالَمِينَ * الرَّحْمَنِ الرَّحِيمِ * مَلِكِ يَوْمِ الدِّينِ**﴾، يُقَطِّعُ قِرَاءَتَهُ آيَةً آيَةً.

قال أَبُو دَاوُدَ: وَسَمِعْتُ أَحْمَدَ يَقُولُ: الْقِرَاءَةُ الْقَدِيمَةُ: ﴿**مَالِكِ يَوْمِ الدِّينِ**﴾.

[ت000/م34]

4002 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ عُمَرَ بنِ مَيْسَرَةَ وَعُثْمَانُ بنُ أَبِي شَيْبَةَ، المَعْنَى، قالاَ: حدَّثنا يَزِيدُ بنُ هَارُونَ، عن سُفْيَانَ بنِ حُسَيْنٍ، عن الْحَكَمِ بنِ عُتَيْبَةَ، عن إِبْرَاهِيمَ التَّيْمِيِّ، عن أَبِيهِ، عن أَبِي ذَرٍّ قال: كُنْتُ رَدِيفَ رَسُولِ اللَّهِ ﷺ وَهُوَ عَلَى حِمَارٍ وَالشَّمْسُ عِنْدَ غُرُوبِهَا، فقالَ: «**هَلْ تَدْرِي أَيْنَ تَغْرُبُ هَذِهِ؟**» قُلْتُ: اللَّهُ وَرَسُولُهُ أَعْلَمُ. قال: «**فَإِنَّهَا تَغْرُبُ فِي عَيْنٍ حَامِيَةٍ**».

[ت000/م35]

4003 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى: حدَّثنا حَجَّاجٌ، عن ابنِ جُرَيْجٍ: أخبرني عُمَرُ بنُ عَطَاءٍ: أَنَّ مَوْلًى لابْنِ الأَسْقَعِ ـ رَجُلَ صِدْقٍ ـ أَخْبَرَهُ عن ابنِ الأَسْقَعِ: أَنَّهُ سَمِعَهُ يَقُولُ: إِنَّ النَّبِيَّ ﷺ جَاءَهُمْ فِي صُفَّةِ الْمُهَاجِرِينَ، فَسَأَلَهُ إِنْسَانٌ: أَيُّ آيَةٍ فِي الْقُرْآنِ أَعْظَمُ؟ قال النَّبِيُّ ﷺ: ﴿**اللَّهُ لاَ إِلَهَ إِلاَّ هُوَ**

is no god but He, the Living, the Self-subsisting, Eternal. No slumber can seize Him nor sleep. His are all things in the heavens and on earth. Who is there can intercede in His presence except as He permits? He knows what (appears to His creatures as) Before or After or Behind them. Nor shall they compass aught of His knowledge except as He wills. His Throne does extend over the heavens and the earth, and He feels no fatigue in guarding and preserving them for He is the Most High, the Supreme (in glory)." (Al-Baqarah 255)

4004- It is narrated on the authority of Ibn Mas'ud that he recited (Allah's saying on the tongue of the wife of Aziz in the Surah of Yusuf): "Now come, you (dear one)!" (23) Shaqiq said to him: "But we recite it: "I've got myself ready for you (to approach me)!" on that Ibn Mas'ud said: "It is dearer to me to recite it in the very way I've been made to learn it."

4005- It is narrated on the authority of Shaqiq that it was said to Ibn Mas'ud that some people recite (Allah's saying as such): "I've got myself ready for you (to approach me)!" Ibn Mas'ud said: It is dearer to me to recite it in the very way I've been taught it: "Now come, you (dear one)!"

4006- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: Allah Almighty says to the children of Israel: "Enter this town, and eat of the plenty therein as you wish; but enter the gate with humility, in posture and in words, your faults shall be forgiven for you." (Al-Baqarah 58)

4007- A Hadith like this is narrated on the authority of Hisham Ibn Sa'd, through the same chain of transmitters.

4008- It is narrated on the authority of A'ishah that she said: When the Divine Revelation (pertaining to the first portion of the Surah of An-Nur) came upon the Messenger of Allah "Allah's blessing and peace be upon him", he recited to us: "A Surah which We have sent down and which We have ordained: in it have We sent down Clear Signs, in order that you may receive admonition." (1)

الْحَيُّ الْقَيُّومُ لاَ تَأْخُذُهُ سِنَةٌ وَلا نَوْمٌ﴾ [البقرة: 255].

[ت000/ م36]

4004 ـ حدّثنا أَبُو مَعْمَرٍ عَبْدُ اللَّهِ بنُ عَمْرِو بنِ أَبِي الْحَجَّاجِ المِنْقَرِيُّ: حدَّثنا عَبْدُ الْوَارِثِ: حدثنا شَيْبَانُ، عن الأَعْمَشِ، عن شَقِيقٍ، عن ابنِ مَسْعُودٍ: أَنَّهُ قَرَأَ: **﴿هَيْتَ لَكَ﴾** [يوسف: 23]، فَقَالَ شَقِيقٌ: إِنَّا نَقْرَؤُهَا: **﴿هِئْتُ لَكَ﴾** يَعْنِي فقالَ ابنُ مَسْعُودٍ: أَقْرَؤُهَا كَمَا عُلِّمْتُ أَحَبُّ إِلَيَّ.

[ت000/ م37]

4005 ـ حدّثنا هَنَّادٌ: حدَّثنا أَبُو مُعَاوِيَةَ، عن الأَعْمَشِ، عن شَقِيقٍ، قال: قِيلَ لِعَبْدِ اللَّهِ: إِنَّا أُنَاسًا يَقْرَؤُونَ هَذِهِ الآيَةَ: **﴿وَقَالَتْ هِيتُ لَكَ﴾**. فَقَالَ: إِنِّي أَقْرَأُ كَمَا عُلِّمْتُ أَحَبُّ إِلَيَّ: **﴿وَقَالَتْ هَيْتَ لَكَ﴾**.

[ت000/ م38]

4006 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ، قال: حدَّثنا. (ح)، وحدثنا سُلَيْمَانُ بنُ دَاوُدَ المَهْرِيُّ: أخبرنا ابنُ وَهْبٍ: أخبرنا هِشَامُ بنُ سَعْدٍ، عن زَيْدِ بنِ أَسْلَمَ، عن عَطَاءِ بنِ يَسَارٍ، عن أَبِي سَعِيدٍ الْخُدْرِيِّ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**قالَ اللَّهُ عَزَّ وَجَلَّ لِبَنِي إِسْرَائِيلَ: ﴿ادْخُلُوا الْبَابَ سُجَّدًا وَقُولُوا حِطَّةٌ تُغْفَرْ لَكُمْ خَطَايَاكُمْ﴾ [البقرة: 58]**».

[ت000/ م39]

4007 ـ حدّثنا جَعْفَرُ بنُ مُسَافِرٍ: حدَّثنا ابنُ أَبِي فُدَيْكٍ، عن هِشَامِ بنِ سَعْدٍ، بِإِسْنَادِهِ مِثْلَهُ.

[ت000/ م40]

4008 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ: حدَّثنا هِشَامُ بنُ عُرْوَةَ: عن عُرْوَةَ: أَنَّ عَائِشَةَ قالَتْ: نَزَلَ الْوَحْيُ عَلَى رَسُولِ اللَّهِ ﷺ، فَقَرَأَ عَلَيْنَا: **﴿سُورَةٌ أَنْزَلْنَاهَا وَفَرَضْنَاهَا﴾** [النور: 1].

قال أَبُو دَاوُدَ: يَعْنِي مُخَفَّفَةً حَتَّى أَتَى عَلَى هَذِهِ الآيَاتِ.

(25/30) THE BOOK OF THE COMMON BATHROOM

(the restroom which is visited by men to wash their bodies with the help of the hot water; and it is not so much private that only one could be alone in it: on the contrary, more than one could enter and take bath collectively, and this is why it is undesirable to visit it unless one's privates are covered)

[1] It Is Forbidden To Enter The Common Bathroom

4009- It is narrated on the authority of A'ishah that the Messenger of Allah "Allah's blessing and peace be upon him" at first forbade to visit the common bathrooms, and later on he gave concession to men to enter them, provided that they should be in their lower garments.

4010- It is narrated on the authority of Abu Al-Malih that some women belonging to Sham visited A'ishah, thereupon she asked them: "From where are you?" they said: "From Sham." She said to them: "You then are of those who enter the common bathrooms." They answered in the affirmative, thereupon she said: "No doubt, I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "Any woman who takes off her clothes in a place other than her house, has, indeed, torn the curtain (of shyness) between her and Allah Almighty."

4011- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The land of the foreigners will be opened to you, in which you will find places called common bathrooms (where men enter and take bath with one another, and thus there is possibility to look at the privates of one another): so, let no man enter into them without a lower garment, and let no woman enter into them barring a patient or one confined during the period of postpartum."

[2] It Is Forbidden To Get Oneself Naked

4012- It is narrated on the authority of Ya'li that once, the Messenger of Allah "Allah's blessing and peace be upon him" saw a man taking bath in the open space, with no lower garment over him (to cover his privates). The Messenger of Allah "Allah's blessing and peace be upon him" ascended the pulpit and praised Allah and lauded Him. Then he "Peace be upon him" said: "No doubt, Allah Almighty is too shy (to return anyone with failure), most ready to screen (the faults and mistakes of His servants), and He loves (that His servants should be inclined to) shyness and screening. So, when anyone of you takes bath, let him screen himself (from being seen by others)."

[25/ 30] ـ أوّلُ كتاب الحَمَّام

[ت1/م1] ـ بابُ النَّهْيِ عنْ دُخُولِ الحَمَّامِ

4009 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن عَبْدِ اللَّهِ بنِ شَدَّادٍ، عن أَبِي عُذْرَةَ، عن عَائِشَةَ: «أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ دُخُولِ الْحَمَّامَاتِ، ثُمَّ رَخَّصَ لِلرِّجَالِ أَنْ يَدْخُلُوهَا فِي المَيَازِرِ».

4010 ـ حدّثنا مُحَمَّدُ بنُ قُدَامَةَ: حدَّثنا جَرِيرٌ. (ح)، وحدَّثنا مُحَمَّدُ بنُ المُثَنَّى: حدَّثنا مُحَمَّدُ بنُ جَعْفَر: حدَّثنا شُعْبَةُ جَمِيعًا، عن مَنْصُورٍ، عن سَالِمِ بنِ أَبِي الْجَعْدِ، قال ابنُ المُثَنَّى: عن أَبِي الْمَلِيح قال: دَخَلَ نِسْوَةٌ مِنْ أَهْلِ الشَّامِ عَلَى عَائِشَةَ رضي اللَّهُ عنها، فقالَتْ: مِمَّنْ أَنْتُنَّ؟ قُلْنَ: مِنْ أَهْلِ الشَّامِ. قالَتْ: لَعَلَّكُنَّ مِنَ الْكُورَةِ الَّتِي تَدْخُلُ نِسَاؤُهَا الْحَمَّامَاتِ؟ قُلْنَ: نَعَمْ. قالَتْ: أَمَا إِنِّي سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«مَا مِنِ امْرَأَةٍ تَخْلَعُ ثِيَابَهَا فِي غَيْرِ بَيْتِهَا، إِلاَّ هَتَكَتْ مَا بَيْنَهَا وَبَيْنَ اللَّهِ»**.

قال أَبُو دَاوُدَ: هَذَا حَدِيثُ جَرِيرٍ، وَهُوَ أَتَمُّ، وَلَمْ يَذْكُرْ جَرِيرٌ أَبَا المَلِيحِ، قالَ: قالَ رَسُولُ اللَّهِ ﷺ.

4011 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا زُهَيْرٌ: حدَّثنا عَبْدُ الرَّحْمَنِ بنُ زِيَادِ بنِ أَنْعُم، عن عَبْدِ الرَّحْمَنِ بنِ رَافِعٍ، عن عَبْدِ اللَّهِ بنِ عَمْرٍو: أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: **«إِنَّهَا سَتُفْتَحُ لَكُم أَرْضُ الْعَجَمِ، وَسَتَجِدُونَ فِيهَا بُيُوتًا يُقَالُ لَهَا: الحمَّامَاتُ، فَلاَ يَدْخُلَنَّهَا الرِّجَالُ إِلاَّ بالأُزُرِ، وَامْنَعُوهَا النِّسَاءَ إِلاَّ مَرِيضَةً أَوْ نُفَسَاءَ»**.

قال أَبُو دَاوُدَ: انفرد أَهلُ مِصْرَ بإسنَادِه.

[ت2/م2] ـ بابُ النَّهيِ عنِ التَّعَرِّي

4012 ـ حدّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدِ بنِ نُفَيْلٍ: حدَّثنا زُهَيْرٌ، عن عَبْدِ المَلِكِ بنِ أَبِي سُلَيْمَانَ الْعَرْزَمِيِّ، عن عَطَاءٍ، عن يَعْلَى: أَنَّ رَسُولَ اللَّهِ ﷺ رَأَى رَجُلاً يَغْتَسِلُ بالْبَرَازِ بِلاَ إِزَارٍ، فَصَعِدَ المِنْبَرَ فَحَمِدَ اللَّهَ وَأَثْنَى عَلَيْهِ، ثُمَّ قالَ نَبِيُّ اللَّهِ ﷺ: **«إِنَّ اللَّهَ حَيِيٌّ سِتِّيرٌ، يُحِبُّ الحَيَاءَ وَالسَّتْرَ. فَإِذَا اغْتَسَلَ أَحَدُكُم، فَلْيَسْتَتِرْ»**.

4013- The same is narrated on the authority of Safwan Ibn Ya'li from his father from the Messenger of Allah "Allah's blessing and peace be upon him", even though the previous one is more perfect.

4014- It is narrated on the authority of Abd Ar-Rahman Ibn Jarhad from his father, and he was one of the Suffah companions that he said: The Messenger of Allah "Allah's blessing and peace be upon him" sat with us and my thigh was uncovered, thereupon he said: “Do you not know that the thigh is of the privates (which should be covered)?”

4015- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “Uncover not your thigh, nor look at the thigh of anyone, be he living or dead.”

Abu Dawud says: This narration is unacceptable.

[3] What About The Commandment Pertaining To Nakedness?

4016- It is narrated on the authority of Al-Miswar Ibn Makhramah that he said: I was carrying a heavy stone when my dress fell from me, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: “Put your dress on you, and do not walk while being in the state of undress.”

4017- It is narrated on the authority of Bahz Ibn Hakim from his father from his grandfather that he said: I said: “O Messenger of Allah! Which of our private parts would we screen, and which of them would we leave (uncovered)?” he said: “Screen your privates from all the people barring your wife and that which your right (hand) possesses (i.e. your slave-girl that is lawful for you).” I said: “O Messenger of Allah! Tell me: when the people are mixed (and gathered in one place where nothing could be hidden: what should I do?)” he said: “If you could, let none see your (privates).” I said: “O Messenger of Allah! When anyone of us is in privacy (should he also screen his privates?)” he said: “No doubt, Allah has more right to feel shy of Him (by screening your privates)than the people.”

4018- It is narrated on the authority of Abd Ar-Rahman Ibn Abu Sa'id Al-Khudri from his father that The Messenger of Allah "Allah's blessing and peace be upon him" said: “No man should look at the privates of another man; and no woman should look at the privates of another woman. Furthermore, no man should lie with another man while both naked under one covering; and no woman should lie with another woman while both naked under one covering.”

4013 ـ حدّثنا مُحَمَّدُ بنُ أَحْمَدَ بنِ أَبِي خَلَفٍ: حدَّثنا الأَسْوَدُ بنُ عَامِرٍ: حدَّثنا أَبُو بَكْرِ بنُ عَيَّاشٍ، عن عَبْدِ المَلِكِ بنِ أَبِي سُلَيْمَانَ، عن عَطَاء، عن صَفْوَانَ بنِ يَعْلَى، عن أَبِيهِ، عن النَّبِيِّ ﷺ بهذا الحديث.

قال أَبُو دَاوُدَ: الأَوَّلُ أَتَمُّ.

4014 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عن أَبِي النَّضْرِ، عن زُرْعَةَ بنِ عَبْدِ الرَّحْمَنِ بنِ جَرْهَدٍ، عن أَبِيهِ ـ قال: كَانَ جَرْهَدٌ هَذَا مِنْ أَصْحَابِ الصُّفَّةِ ـ أَنَّهُ قال: جَلَسَ رَسُولُ اللَّهِ ﷺ عِنْدَنَا وَفَخِذِي مُنْكَشِفَةٌ، فقالَ: «**أَمَا عَلِمْتَ أَنَّ الْفَخِذَ عَوْرَةٌ؟**».

4015 ـ حدّثنا عَلِيُّ بنُ سَهْلٍ الرَّمْلِيُّ: حدَّثنا حَجَّاجٌ، عن ابنِ جُرَيْجٍ قال: أُخْبِرْتُ عن حَبِيبِ بنِ أَبِي ثَابِتٍ، عن عَاصِمِ بنِ ضَمْرَةَ، عن عَلِيٍّ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ تَكْشِفْ فَخِذَكَ، وَلاَ تَنْظُرْ إِلَى فَخِذِ حَيٍّ وَلاَ مَيِّتٍ**».

قال أَبُو دَاوُدَ: هَذَا الْحَدِيثُ فِيهِ نَكَارَةٌ.

[ت3/م2] ـ بابُ ما جاءَ فِي التَّعَرِّي

4016 ـ حدّثنا إِسْمَاعِيلُ بنُ إِبْرَاهِيمَ: حدَّثنا يَحْيَى بنُ سَعِيدٍ الأُمَوِيُّ، عن عُثْمَانَ بنِ حَكِيمٍ، عن أَبِي أُمَامَةَ بنِ سَهْلٍ، عن المِسْوَرِ بنِ مَخْرَمَةَ قالَ: حَمَلْتُ حَجَرًا ثَقِيلاً. فَبَيْنَا أَمْشِي، فَسَقَطَ عَنِّي ـ يَعْنِي ثَوْبِي ـ، فَقَالَ لِي رَسُولُ اللَّهِ ﷺ: «**خُذْ عَلَيْكَ ثَوْبَكَ، وَلاَ تَمْشُوا عُرَاةً**».

4017 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ: حدَّثنا أَبِي. (ح)، وحدَّثنا ابنُ بَشَّارٍ: حدَّثنا يَحْيَى نَحْوَهُ، عن بَهْزِ بنِ حَكِيمٍ، عن أَبِيهِ، عن جَدِّهِ قال: قُلْتُ: يَا رَسُولَ اللَّهِ، عَوْرَاتُنَا مَا نَأْتِي مِنْهَا وَمَا نَذَرُ؟ قال: «**احْفَظْ عَوْرَتَكَ إِلاَّ مِنْ زَوْجَتِكَ، أَوْ مَا مَلَكَتْ يَمِينُكَ**». قالَ: قُلْتُ: يَا رَسُولَ اللَّهِ، إِذَا كَانَ الْقَوْمُ بَعْضُهُمْ فِي بَعْضٍ؟ قال: «**إِنِ اسْتَطَعْتَ أَنْ لاَ يَرَيَنَّهَا أَحَدٌ، فَلاَ يَرَيَنَّهَا**». قال: قُلْتُ: يَا رَسُولَ اللَّهِ، إِذَا كَانَ أَحَدُنَا خَالِيًا؟ قال: «**اللَّهُ أَحَقُّ أَنْ يُسْتَحْيَى مِنْهُ مِنَ النَّاسِ**».

4018 ـ حدّثنا عَبْدُ الرَّحْمَنِ بنُ إِبْرَاهِيمَ: حدَّثنا ابنُ أَبِي فُدَيْكٍ، عن الضَّحَّاكِ بنِ عُثْمَانَ، عن زَيْدِ بنِ أَسْلَمَ، عن عَبْدِ الرَّحْمَنِ بنِ أَبِي سَعِيدٍ الْخُدْرِيِّ، عن أَبِيهِ، عن النَّبِيِّ ﷺ قالَ: «**لاَ يَنْظُرُ الرَّجُلُ إِلَى عُرْيَةِ الرَّجُلِ، وَلاَ الْمَرْأَةُ إِلَى عُرْيَةِ الْمَرْأَةِ، وَلاَ يُفْضِي الرَّجُلُ إِلَى الرَّجُلِ فِي ثَوْبٍ وَاحِدٍ، وَلاَ تُفْضِي الْمَرْأَةُ إِلَى الْمَرْأَةِ فِي ثَوْبٍ**».

4019- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No man should lie with another man while both naked (under one covering); and no woman should lie with another woman while both naked (under one covering) unless it is a child (with any of his parents) or any of the parents (with his or her child)."

4019 ـ حدّثنا إبْرَاهِيم بنُ مُوسَى: حدَّثنا ابنُ عُلَيَّةَ، عن الْجُرَيْرِيِّ. وحدَّثنا مُؤَمَّلُ بنُ هِشَامٍ، قالَ: حدَّثنا إسْمَاعِيلُ، عن الْجُرَيْرِيِّ، عن أَبِي نَضْرَةَ، عن رَجُلٍ مِنَ الطُّفَاوَةِ، عَن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يُفْضِيَنَّ رَجُلٌ إِلَى رَجُلٍ، وَلاَ امْرَأَةٌ إِلَى امْرَأَةٍ، إِلاَّ وَلَدًا أو وَالِدًا**». قال: وَذَكَرَ الثَّالثةَ فَنَسِيتُهَا.

(26/31) THE BOOK OF CLOTHES

[1]

4020- It is narrated on the authority of Abu Sa'id Al-Khudri that he said: Whenever the Messenger of Allah "Allah's blessing and peace be upon him" got a new item of clothes, he would say: "(Allah Almighty has endowed me with) a shirt, a turban, etc." He would further say: "O Allah! To You be all the praises: it is You Who have dressed me in it: I ask You (to benefit me) from its good, and the good for which it has been made; and I seek refuge with You from its evil, and from the evil for which it has been made." Abu Nadrah further said: Whenever anyone of the companions of the Messenger of Allah "Allah's blessing and peace be upon him" got a new dress, it would be said to him: "(Let you have a long life until) you consume it, and Allah might recompense you (with what is better)."

4021- The same is narrated on the authority of Al-Jurairi, through the same chain of transmission.

4022- The same is narrated on the authority of Al-Jurairi, through the same chain of transmission. Abu Dawud says: No mention is made of Abu Sa'id in this narration.

4023- It is narrated on the authority of Sahl Ibn Mu'adh Ibn Anas from his father that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has food, after which he says: "Praise be to Allah, Who has caused me to eat that, and Who has sustained me with it, with no might nor power from my part", his earlier and later sins will be forgiven for him; and he who puts on a new dress, thereupon he says: "Praise be to Allah, Who has caused me to wear that, and Who has sustained me with it, with no might nor power from my part", his earlier and later sins will be forgiven for him."

[2] Which Supplication Might One Supplicate With For Such As Puts On A New Dress?

4024- It is narrated on the authority of Umm Khalid Bint Khalid Ibn Sa'id Ibn Al-As that many dresses including a square (silk or wool) garment with marks were brought to the Messenger of Allah "Allah's blessing and peace be upon him", who said: "Whom do you see as more fitting for that (square garment)?" the people kept silent, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Bring Umm Khalid to me." She was brought to him, and he dressed her in it, and said to her twice (by way of invocation): "Let you (have a long life so as to)

[26/31] ـ كتاب اللِّباسِ

[ت1/م1] ـ بابُ ما يقول إذا لَبِسَ ثَوبًا جَدِيدًا

4020 ـ حدّثنا عَمْرُو بنُ عَوْنٍ: أخبرنا ابنُ المُبَارَكِ، عن الجُرَيْرِيِّ، عن أَبِي نَضْرَةَ، عن أَبِي سَعِيدِ الْخُدْرِيِّ قالَ: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا اسْتَجَدَّ ثَوْبًا سَمَّاهُ بِاسْمِهِ، إِمَّا قَمِيصًا أَوْ عِمَامَةً، ثُمَّ يَقُولُ: «**اللَّهُمَّ لَكَ الْحَمْدُ، أَنْتَ كَسَوْتَنِيهِ. أَسْأَلُكَ مِنْ خَيْرِهِ وَخَيْرِ مَا صُنِعَ لَهُ، وَأَعُوذُ بِكَ مِنْ شَرِّهِ وَشَرِّ مَا صُنِعَ لَهُ**».

قالَ أَبُو نَضْرَةَ: فَكَانَ أَصْحَابُ النَّبِيِّ ﷺ إِذَا لَبِسَ أَحَدُهُمْ ثَوْبًا جَدِيدًا قِيلَ لَهُ: تُبْلِي وَيُخْلِفُ اللَّهُ تَعَالَى.

4021 ـ حدّثنا مُسَدَّدٌ: حدَّثنا عِيسَى بنُ يُونُسَ، عن الْجُرَيْرِيِّ بِإِسْنَادِهِ، نَحْوَهُ.

4022 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا مُحَمَّدُ بنُ دِينَارٍ، عن الْجُرَيْرِيِّ بِإِسْنَادِهِ وَمَعْنَاهُ.

قال أَبُو دَاوُدَ: وَعَبْدُ الْوَهَّابِ الثَّقَفِيُّ لَمْ يَذْكُرْ فِيهِ أَبَا سَعِيدٍ، وَحَمَّادُ بنُ سَلَمَةَ قالَ: عن الْجُرَيْرِيِّ، عن أَبِي الْعَلاَءِ، عن النَّبِيِّ ﷺ.

قال أَبُو دَاوُدَ: حَمَّادُ بنُ سَلَمَةَ وَالثَّقَفِيُّ سَمَاعُهُمَا وَاحِدٌ.

4023 ـ حدّثنا نُصَيْرُ بنُ الْفَرَجِ: حدَّثنا عَبْدُ اللَّهِ بنُ يَزِيدَ: حدَّثنا سَعِيدٌ ـ يَعْنِي ابنَ أَبِي أَيُّوبَ ـ، عن أَبِي مَرْحُومٍ، عن سَهْلِ بنِ مُعَاذِ بنِ أَنَسٍ، عن أَبِيهِ: أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**مَنْ أَكَلَ طَعَامًا، ثُمَّ قالَ: الْحَمْدُ للَّهِ الَّذِي أَطْعَمَنِي هَذَا الطَّعَامَ، وَرَزَقَنِيهِ مِنْ غَيْرِ حَوْلٍ مِنِّي وَلاَ قُوَّةٍ، غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ وَمَا تَأَخَّرَ**». قالَ: «**وَمَنْ لَبِسَ ثَوْبًا، فَقَالَ: الْحَمْدُ للَّهِ الَّذِي كَسَانِي هَذَا الثَّوْبَ، وَرَزَقَنِيهِ مِنْ غَيْرِ حَوْلٍ مِنِّي وَلاَ قُوَّةٍ، غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ وَمَا تَأَخَّرَ**».

[ت2/م2] ـ بابٌ في ما يُدْعَى لِمَنْ لَبِسَ ثوبًا جَدِيدًا

4024 ـ حدّثنا إِسْحَاقُ بنُ الْجَرَّاحِ الأَذَنِيُّ: حدَّثنا أَبُو النَّضْرِ: حدَّثنا إِسْحَاقُ بنُ سَعِيدٍ، عن أَبِيهِ، عن أُمِّ خَالِدٍ بِنْتِ خَالِدِ بنِ سَعِيدِ بنِ الْعَاصِ: «أَنَّ رَسُولَ اللَّهِ ﷺ أُتِيَ بِكُسْوَةٍ فِيهَا خَمِيصَةٌ صَغِيرَةٌ، فقالَ: «**مَنْ تَرَوْنَ أَحَقُّ بِهَذِهِ؟**»، فَسَكَتَ الْقَوْمُ، فَقَالَ: «**ائْتُونِي بِأُمِّ خَالِدٍ**»، فَأُتِيَ بِهَا فَأَلْبَسَهَا إِيَاهَا، ثُمَّ قَالَ: «**أَبْلِي، وَأَخْلِقِي**» مَرَّتَيْنِ. وَجَعَلَ يَنْظُرُ إِلَى عَلَمٍ فِي الْخَمِيصَةِ أَحْمَرَ أَوْ أَصْفَرَ،

consume and tear it!" he kept looking at a red or yellow mark in the square garment and saying: "Well, well, O Umm Khalid!"

[3] What About The Shirt?

4025- It is narrated on the authority of Umm Salamah that she said: The shirt was the dearest from amongst the clothes to the Messenger of Allah "Allah's blessing and peace be upon him".

4026- It is narrated on the authority of Umm Salamah that she said: No item of clothes was dearer to the Messenger of Allah "Allah's blessing and peace be upon him" than a shirt.

4027- It is narrated on the authority of Asma' Bint Yazid that she said: The sleeve of the shirt of the Messenger of Allah "Allah's blessing and peace be upon him" was (too long to cover) up to the wrist.

[4] What About The Cloak?

4028- It is narrated on the authority of Al- Miswar Ibn Makhramah that he said: Some cloaks were brought to The Messenger of Allah "Allah's blessing and peace be upon him", which he distributed but gave none to Makhramah. Makhramah said: "O my son! come with me to the Messenger of Allah "Allah's blessing and peace be upon him". I went with him. He said: "come in and call him (to come out) for me. So I called him and he (the Prophet) came out, having a cloak (from those already distributed) on him. He (the Prophet) said: "I had kept it for you." He looked at it and said: "Makhramah has been pleased."

[5] Being Dressed For Fame

4029- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who wears a garment with the intention to become famous (among the people), Allah will dress him in a garment like it (but of humiliation) on the Day of Judgement, and then it will become in flames."

4030- The same is narrated on the authority of Abu Awanah, in which he said: "A garment of humiliation."

4031- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who imitates a people (in dress and conduct), belongs to them."

وَيَقُولُ: «**سَنَاهْ سَنَاهْ يَا أُمَّ خَالِدٍ**»، وَسَناه فِي كَلاَمِ الْحَبَشَةِ الْحَسَنُ».

[ت3/م3] ـ بابُ ما جاءَ فِي القَمِيصِ

4025 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى: حدَّثنا الْفَضْلُ بنُ مُوسَى، عن عَبْدِ الْمُؤْمِنِ بنِ خَالِدٍ الْحَنَفِيِّ، عن عَبْدِ اللَّهِ بنِ بُرَيْدَةَ، عن أُمِّ سَلَمَةَ قَالَتْ: «كَانَ أَحَبَّ الثِّيَابِ إِلَى رَسُولِ اللَّهِ ﷺ الْقَمِيصُ».

4026 ـ حدّثنا زِيَادُ بنُ أَيُّوبَ: حدَّثنا أَبُو تُمَيْلَةَ، قالَ: حدَّثني عَبْدُ الْمُؤْمِنِ بنُ خَالِدٍ، عن عَبْدِ اللَّهِ بنِ بُرَيْدَةَ، عن أَبِيهِ، عن أُمِّ سَلَمَةَ قالَتْ: «لَمْ يَكُنْ ثَوْبٌ أَحَبَّ إِلَى رَسُولِ اللَّهِ ﷺ مِنْ قَمِيصٍ».

4027 ـ حدّثنا إِسْحَاقُ بنُ إِبْرَاهِيمَ الْحَنْظَلِيُّ: حدَّثنا مُعَاذُ بنُ هِشَامٍ، عن أَبِيهِ، عن بُدَيْلِ بنِ مَيْسَرَةَ، عن شَهْرِ بنِ حَوْشَبٍ، عن أَسْمَاءَ بِنْتِ يَزِيدَ قَالَتْ: «كَانَتْ يَدُ كُمِّ قَمِيصِ رَسُولِ اللَّهِ ﷺ إِلَى الرُّصْغِ».

[ت4/م4] ـ بابُ ما جاءَ في الأَقْبِيَةِ

4028 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ وَيَزِيدُ بنُ خَالِدِ بنِ مَوْهَبٍ، المَعْنَى، أَنَّ اللَّيْثَ ـ يَعْنِي ابنَ سَعْدٍ ـ حدَّثَهُمْ، عن عَبْدِ اللَّهِ بنِ عُبَيْدِ اللَّهِ بنِ أَبِي مُلَيْكَةَ، عن المِسْوَرِ بنِ مَخْرَمَةَ أَنَّهُ قالَ: «قَسَمَ رَسُولُ اللَّهِ ﷺ أَقْبِيَةً، وَلَمْ يُعْطِ مَخْرَمَةَ شَيْئًا، فَقَالَ مَخْرَمَةُ: يَا بُنَيَّ انْطَلِقْ بِنَا إِلَى رَسُولِ اللَّهِ ﷺ، فَانْطَلَقْتُ مَعَهُ. قال: ادْخُلْ فَادْعُهُ لِي، قَالَ: فَدَعَوْتُهُ. فَخَرَجَ إِلَيْهِ وَعَلَيْهِ قِبَاءٌ مِنْهَا، فَقَالَ: «**خَبَأْتُ هَذَا لَكَ**»، قال: فَنَظَرَ إِلَيْهِ ـ زَادَ ابْنُ مَوْهَبٍ: مَخْرَمَةُ، ثُمَّ اتَّفَقَا ـ قال: رَضِيَ مَخْرَمَةُ». قال قُتَيْبَةُ: عن ابنِ أَبِي مُلَيْكَةَ: لَمْ يُسَمِّهِ.

[ت5/م000] ـ بابٌ في لُبْسِ الشُّهْرَةِ

4029 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى: حدَّثنا أَبُو عَوَانَةَ. (ح)، وحدَّثنا مُحَمَّدُ بنُ عِيسَى، عن شَرِيكٍ، عن عُثْمَانَ بنِ أَبِي زُرْعَةَ، عن الْمُهَاجِرِ الشَّامِيِّ، عن ابنِ عُمَرَ قالَ فِي حَدِيثِ شَرِيكٍ: يَرْفَعُهُ قالَ: «**مَنْ لَبِسَ ثَوْبَ شُهْرَةٍ، أَلْبَسَهُ اللَّهُ يَوْمَ الْقِيَامَةِ ثَوْبًا مِثْلَهُ**». زَادَ عن أَبِي عَوَانَةَ: «**ثُمَّ تَلَهَّبُ فِيهِ النَّارُ**».

4030 ـ حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو عَوَانَةَ قالَ: «**ثَوْبَ مَذَلَّةٍ**».

4031 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا أَبُو النَّضْرِ: حدَّثنا عَبْدُ الرَّحْمَنِ بنُ ثَابِتٍ: حدَّثنا حَسَّانُ بنُ عَطِيَّةَ، عن أَبِي مُنِيبٍ الْجُرَشِيِّ، عن ابنِ عُمَرَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ تَشَبَّهَ بِقَوْمٍ فَهُوَ مِنْهُمْ**».

[6] Wearing (The Garments Of) Wool And Hair

4032- It is narrated on the authority of A'ishah that she said: Once, the Messenger of Allah "Allah's blessing and peace be upon him" set out having a black hairy sheet with lines and pictures of saddles.

(...) It is narrated on the authority of Utbah Ibn Abd As-Sulami that he said: I asked the Messenger of Allah "Allah's blessing and peace be upon him" for clothes, and he dressed me in two coarse linen pieces of cloth; and I saw myself having been the most well-dressed from amongst my companions.

4033- It is narrated on the authority of Abu Burdah that he said: My father (Abu Musa) said to me: "If you saw us, O my son, while we were with our Prophet the Messenger of Allah "Allah's blessing and peace be upon him", having (the traces of) rainfall over us, you would think we smell like the goats(on account of the woollen dresses over our bodies)."

[...] Wearing The Expensive Clothes

4034- It is narrated on the authority of Anas Ibn Malik that the king Dhu-Yazan (of Yemen) presented to the Messenger of Allah "Allah's blessing and peace be upon him" a dress which he had bought for thirty-three she-camels, and the Messenger of Allah "Allah's blessing and peace be upon him" accepted it.

4035- It is narrated on the authority of Ishaq Ibn Abdullah Ibn Al-Harith that the Messenger of Allah "Allah's blessing and peace be upon him" bought a dress by three to nine over twenty young healthy she-camels, and presented it to the king Dhu-Yazan (of Yemen).

[7] Wearing The Coarse Garments

4036- It is narrated on the authority of Abu Burdah that he said: I visited A'ishah and she brought to us a lower garment of coarse clothing, made in Yemen, and a rough mantle of those known as Mulabbadah (matted), and took oath by Allah that the Messenger of Allah "Allah's blessing and peace be upon him" died while being in those two garments.

4037- It is narrated on the authority of Ibn Abbas that he said: When the religious Secessionists belonging to Harura appeared, I went to Ali Ibn Abu Talib who said to me: "Go to those people (and talk to them)." I put on the best of Yemenite suites and went to them. (Abu Zumail (the sub-narrator) said: Ibn Abbas was a handsome good-looking man.) I went to them and they said: "Welcome to you O Ibn Abbas! What is this suite (you arc wearing)?" I said: "How do you find fault with me pertaining to it? No

[ت6/م5] ـ بابٌ في لُبْس الصُّوفِ والشَّعَرِ

4032 ـ حدّثنا يَزِيدُ بنُ خَالِدِ بنِ يَزِيدَ بنِ عَبْدِ اللَّهِ بنِ مَوْهَبٍ الرَّمْلِيُّ وَحُسَيْنُ بنُ عَلِيٍّ قالاَ: حدثنا ابنُ أَبِي زَائِدَةَ، عن أَبِيهِ، عن مُصْعَبِ بنِ شَيْبَةَ، عن صَفِيَّةَ بِنْتِ شَيْبَةَ، عن عَائِشَةَ رضي اللَّهُ عَنْها: «خَرَجَ رَسُولُ اللَّهِ ﷺ وَعَلَيْهِ مِرْطٌ مُرَحَّلٌ مِنْ شَعَرٍ أَسْوَدَ». وقَالَ حُسَيْنٌ: حدَّثنا يَحْيَى بنُ زَكَرِيَّا.

حدَّثنا إِبْرَاهِيمُ بنُ الْعَلاَءِ الزُّبَيْدِيُّ: حدَّثنا إِسْمَاعِيلُ بنُ عَيَّاشٍ، عن عَقِيلِ بنِ مُدْرِكٍ، عن لُقْمَانَ بنِ عَامِرٍ، عن عُتْبَةَ بنِ عَبْدِ السُّلَمِيِّ قالَ: «اسْتَكْسَيْتُ رَسُولَ اللَّهِ ﷺ، فَكَسَانِي خَيْشَتَيْنِ. فَلَقَدْ رَأَيْتُنِي وَأَنَا أَكْسِي أَصْحَابِي».

4033 ـ حدّثنا عَمْرُو بنُ عَوْنٍ: حدَّثنا أَبُو عَوَانَةَ، عن قَتَادَةَ، عن أَبِي بُرْدَةَ قال: قال لِي أَبِي: «يَا بُنَيَّ لَوْ رَأَيْتَنَا وَنَحْنُ مَعَ رَسُولِ اللَّهِ ﷺ، وَقَدْ أَصَابَتْنَا السَّمَاءُ. حَسِبْتَ أَنَّ رِيحَنَا رِيحُ الضَّأْنِ».

قال أبو داودَ: يعني مِنْ لباسِ الصُّوفِ.

بابُ لُبْسِ المُرْتفع من الثِّياب

4034 ـ حدّثنا عَمْرُو بنُ عَوْنٍ: أخبرنا عُمَارَةُ بنُ زَاذَانَ، عن ثَابِتٍ، عن أَنَسِ بنِ مَالِكٍ: «أَنَّ مَلِكَ ذِي يَزَنٍ أَهْدَى إِلَى رَسُولِ اللَّهِ ﷺ حُلَّةً أَخَذَهَا بِثَلاَثَةٍ وَثَلاَثِينَ بَعِيرًا، أَوْ ثَلاَثٍ وَثَلاَثِينَ نَاقَةً، فَقَبِلَهَا».

4035 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن عَلِيِّ بنِ زَيْدٍ، عن إِسْحَاقَ بنِ عَبْدِ اللَّهِ بنِ الحَارِثِ: «أَنَّ رَسُولَ اللَّهِ ﷺ اشْتَرَى حُلَّةً بِبِضْعَةٍ وَعِشْرِينَ قَلُوصًا، فَأَهْدَاهَا إِلَى ذِي يَزَنٍ».

[ت7/م000] ـ بابُ لباسِ الغَليظِ

4036 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ. (ح)، وحدَّثنا مُوسَى: حدَّثنا سُلَيْمَانُ ـ يَعْنِي ابنَ الْمُغِيرَةِ ـ المَعْنَى، عن حُمَيْدِ بنِ هِلاَلٍ، عن أَبِي بُرْدَةَ قال: «دَخَلْتُ عَلَى عَائِشَةَ رضي اللَّهُ عنها، فَأَخْرَجَتْ إِلَيْنَا إِزَارًا غَلِيظًا مِمَّا يُصْنَعُ بالْيَمَنِ، وَكِسَاءً مِنَ الَّتِي يُسَمُّونَهَا الْمُلَبَّدَةَ، فَأَقْسَمَتْ باللَّهِ أَنَّ رَسُولَ اللَّهِ ﷺ قُبِضَ فِي هَذَيْنِ الثَّوْبَيْنِ».

4037 ـ حدّثنا إِبْرَاهِيمُ بنُ خَالِدٍ أَبُو ثَوْرٍ الْكَلْبِيُّ: حدَّثنا عُمَرُ بنُ يُونُسَ بنِ الْقَاسِمِ الْيَمَامِيُّ: حدَّثنا عِكْرِمَةُ بنُ عَمَّارٍ: حدَّثنا أَبُو زُمَيْلٍ: حدَّثني عَبْدُ اللَّهِ بنُ عَبَّاسٍ قال: «لَمَّا خَرَجَتِ الْحَرُورِيَّةُ أَتَيْتُ عَلِيًّا، فقالَ: ائْتِ هٰؤُلاَءِ الْقَوْمَ! فَلَبِسْتُ أَحْسَنَ مَا يَكُونُ مِنْ حُلَلِ الْيَمَنِ ـ قال أَبُو زُمَيْلٍ: وَكَانَ ابنُ عَبَّاسٍ رَجُلاً جَمِيلاً جَهِيرًا ـ قال ابنُ عَبَّاسٍ: فَأَتَيْتُهُمْ فَقالُوا: مَرْحَبًا بِكَ يَا ابْنَ عَبَّاسٍ، مَا هَذِهِ الْحُلَّةُ؟ قال: مَا تَعِيبُونَ عَلَيَّ، لَقَدْ رَأَيْتُ عَلَى

doubt, I saw the Messenger of Allah "Allah's blessing and peace be upon him" having on him the best of suits."

[8] What About Khazz?

(The clothes of wool or hair mixed with silk)

4038- It is narrated on the authority of Abdullah Ibn Sa'd from his father that he said: I saw a man in Bukhara, riding a white mule, having a black turban over his head made of Khazz (wool or hair mixed with silk), and he said: "The Messenger of Allah "Allah's blessing and peace be upon him" had made me wear it."

4039- It is narrated on the authority of Abd Ar-Rahman Ibn Ghunm Al-Ash'ari that he said: Abu Amir or Abu Malik (Al-Ash'ari) told me, and by Allah, a further oath I take that he has never told me a lie, that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "From amongst my nation, there will be such as make lawful both Khazz and silk...others from amongst them will be transformed into apes and swine."

Abu Dawud says: It should be known that over twenty from amongst the companions of the Messenger of Allah "Allah's blessing and peace be upon him", including Anas and Al-Bara' Ibn Azib, put on Khazz.

[9] What About Wearing Silk?

4040- It is narrated on the authority of Abdullah Ibn Umar that he said: Umar Ibn Al-Khattab saw a garment of silk (being sold) at the door of the mosque, whereupon he said: "O Messenger of Allah! Would that you buy it and wear it for the people on Friday and for (receiving) the delegations when they come to you! "Upon this, The Messenger of Allah "Allah's blessing and peace be upon him" said: "He who wears it has no share (of reward) in the Hereafter." Then (some of) those silk garments were sent to The Messenger of Allah "Allah's blessing and peace be upon him", who sent one of them to Umar. Thereupon Umar said: "You make me wear (this silk garment) though you said about the silk garment of Utarid (the person who had been selling this garment) what you had said. (What is the matter?)" The Messenger of Allah "Allah's blessing and peace be upon him" said: "I did not send to you this to wear, (but in order that you might utilize its price)." Umar gave it as a gift to a brother of his who was an infidel in Mecca.

4041- The same story is narrated on the authority of Salim Ibn Abdullah from his father, in which he said that it was a silken dress...then many

رَسُولِ اللَّهِ ﷺ أَحْسَنَ مَا يَكُونُ مِنَ الْحُلَلِ».

قال أَبُو دَاوُدَ: اسْمُ أَبِي زُمَيْلٍ: سِمَاكُ بنُ الْوَلِيدِ الْحَنَفِيُّ.

[ت8/م6] ـ بابُ ما جاءَ في الخَزِّ

4038 ـ حدّثنا عُثْمَانُ بنُ مُحَمَّدٍ الأَنْمَاطِيُّ الْبَصْرِيُّ: حدَّثنا عَبْدُ الرَّحْمَنِ بنُ عَبْدِ اللَّهِ الرَّازِيُّ. (ح)، وحدَّثنا أَحْمَدُ بنُ عَبْدِ الرَّحْمَنِ الرَّازِيُّ: حدَّثنا أَبِي قالَ: أخبرني أَبِي عَبْدُ اللَّهِ بنُ سَعْدٍ، عن أَبِيهِ سَعْدٍ قال: «رَأَيْتُ رَجُلاً بِبُخَارَى عَلَى بَغْلَةٍ بَيْضَاءَ، عَلَيْهِ عِمَامَةُ خَزٍّ سَوْدَاء، فقال: كَسَانِيهَا رَسُولُ اللَّهِ ﷺ». هَذَا لَفْظُ عُثْمَانَ، وَالإِخْبَارُ فِي حَدِيثِهِ.

4039 ـ حدّثنا عَبْدُ الْوَهَّابِ بنُ نَجْدَةَ: حدَّثنا بِشْرُ بنُ بَكْرٍ، عن عَبْدِ الرَّحْمَنِ بنِ يَزِيدَ بنِ جَابِرٍ، قالَ: حدَّثنا عَطِيَّةُ بنُ قَيْسٍ، قالَ: سَمِعْتُ عَبْدَ الرَّحْمَنِ بنَ غَنْمٍ الأَشْعَرِيَّ: حدَّثني أَبُو عَامِرٍ، أَوْ أَبُو مَالِكٍ، وَاللَّهِ يَمِينٌ أُخْرَى مَا كَذَبَنِي، أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**لَيَكُونَنَّ مِنْ أُمَّتِي أَقْوَامٌ يَسْتَحِلُّونَ الْخَزَّ والْحَرِيرَ**»، وَذَكَرَ كَلاَمًا قالَ: «**يَمْسَخُ مِنْهُمْ آخَرِينَ قِرَدَةً وَخَنَازِيرَ إِلَى يَوْمِ الْقِيَامَةِ**».

قال أَبُو دَاوُدَ: وَعِشْرُونَ نَفْسًا مِنْ أَصْحَابِ رَسُولِ اللَّهِ ﷺ، أَقلُّ أَوْ أَكْثَرُ لَبِسُوا الْخَزَّ، مِنْهُمْ أَنَسٌ وَالْبَرَاءُ بنُ عَازِبٍ.

[ت9/م7] ـ بابُ ما جاءَ في لُبْسِ الحَرِيرِ

4040 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عن نَافِعٍ، عن عَبْدِ اللَّهِ بنِ عُمَرَ: أَنَّ عُمَرَ بنَ الْخَطَّابِ رَأَى حُلَّةً سِيَرَاءَ عِنْدَ بَابِ الْمَسْجِدِ تُبَاعُ، فَقَالَ: يَا رَسُولَ اللَّهِ ﷺ، لَوِ اشْتَرَيْتَ هَذِهِ، فَلَبِسْتَهَا يَوْمَ الْجُمُعَةِ لِلْوَفْدِ إِذَا قَدِمُوا عَلَيْكَ. فقالَ رَسُولُ اللَّهِ ﷺ: «**إِنَّمَا يَلْبَسُ هَذِهِ مَنْ لاَ خَلاَقَ لَهُ فِي الآخِرَةِ**». ثُمَّ جَاءَ رَسُولَ اللَّهِ ﷺ مِنْهَا حُلَلٌ، فَأَعْطَى عُمَرَ بنَ الْخَطَّابِ مِنْهَا حُلَّةً، فقال عُمَرُ رَضِيَ اللَّهُ عَنْهُ: يَا رَسُولَ اللَّهِ، كَسَوْتَنِيهَا وَقَدْ قُلْتَ فِي حُلَّةِ عُطَارِدٍ مَا قُلْتَ؟ فقال رَسُولُ اللَّهِ ﷺ: «**إِنِّي لَمْ أَكْسُكَهَا لِتَلْبَسَهَا**»، فَكَسَاهَا عُمَرُ بنُ الْخَطَّابِ أَخًا لَهُ مُشْرِكًا بِمَكَّةَ.

4041 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ: أخبرني يُونُسُ وَعَمْرُو بنُ الْحَارِثِ، عن ابنِ شِهَابٍ، عن سَالِمِ بنِ عَبْدِ اللَّهِ، عن أَبِيهِ بِهَذِهِ الْقِصَّةِ قالَ: حُلَّةَ

suites of brocade were sent to him...the Messenger of Allah "Allah's blessing and peace be upon him" said to him: “In order that you might sell it, and fulfill some of your needs with its price.”

4042- It is narrated on the authority of Abu Uthman An-Nahdi that Umar Ibn Al-Khattab wrote to Utbah Ibn Farqad telling him that the Messenger of Allah "Allah's blessing and peace be upon him" forbade (men to wear) silk unless it is (as little as no more than) such and such, i.e. no more than two, three or four fingers.

4043- It is narrated on the authority of Ali that he said: A silken dress was given as a gift to The Messenger of Allah "Allah's blessing and peace be upon him" which he sent to me, and I put on it, and went to him, but I saw the (traces of) anger on his face. He said to me: “No doubt, I’ve not sent it to you in order to wear it.” He ordered me to (cut it to pieces and) distribute it among my women.

[10] The Undesirability Of Wearing Silk

4044- It is narrated on the authority of Ali Ibn Abu Talib that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade me to wear the linen clothes containing silk (brought from an Egyptian town), silk (clothes), garments dyed with safflower, and the gold ring, as well as to recite the Holy Qur'an in bowing (during the prayer).

4045- The same is narrated on the authority of Ali Ibn Abu Talib, with the addition that reciting Qur’an is also forbidden in prostration.

4046- The same is narrated on the authority of Ibrahim Ibn Abdullah, with the following addition: “And I do not say he has forbidden you.”

4047- It is narrated on the authority of Anas Ibn Malik that the king of Rome presented a fur of long sleeves and silken edges to the Messenger of Allah "Allah's blessing and peace be upon him", who wore it (before wearing silk was forbidden), as if I’m looking at (the sleeves of) his hands moving and then he sent it to Ja’far, who put on it and went to him. On that the Messenger of Allah "Allah's blessing and peace be upon him" said to him: “I’ve not sent it to you to wear.” He asked him: “Then, what should I do with it?” he said: “Send it as a present to the Negus, your brother (in Allah's religion).”

4048- It is narrated on the authority of Anas Ibn Malik that the Messenger of Allah said: “I never sit on the red cushions (made of silk and brocade), nor do I wear a dress dyed with safflower, nor do I put on a shirt with silken edges.” Al-Hasan (the sub-narrator) beckoned to the front

إسْتَبْرَقٍ. وَقال فِيهِ: ثُمَّ أَرسَلَ إِلَيْهِ بِجُبَّةِ دِيبَاجٍ. وَقال: «**تَبِيعُهَا، وَتُصِيبُ بِهَا حَاجَتَكَ**».

4042 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ: حدَّثنا عَاصِمٌ الأَحْوَلُ، عن أَبِي عُثْمَانَ النَّهْدِيِّ قال: «كَتَبَ عُمَرُ إِلَى عُتْبَةَ بنِ فَرْقَدٍ: أَنَّ النَّبِيَّ ﷺ نَهَى عن الْحَرِيرِ، إِلاَّ مَا كَانَ هَكَذَا وَهَكَذَا، إِصْبَعَيْنِ وَثَلاَثَةً وَأَرْبَعَةً».

4043 ـ حدّثنا سُلَيْمَانُ بنُ حَرْبٍ: حدَّثنا شُعْبَةُ، عن أَبِي عَوْنٍ، قالَ: سَمِعْتُ أَبَا صَالحٍ يُحَدِّثُ، عن عَلِيٍّ رضي اللَّهُ عَنْهُ قال: أُهْدِيَتْ إِلَى رَسُولِ اللَّهِ ﷺ حُلَّةُ سِيَرَاءُ، فَأَرْسَلَ بِهَا إِلَيَّ فَلَبِسْتُهَا، فَأَتَيْتُهُ فَرَأَيْتُ الْغَضَبَ فِي وَجْهِهِ، وقال: «**إِنِّي لَمْ أُرْسِلْ بِهَا إِلَيْكَ لِتَلْبَسَهَا**»، وَأَمَرَنِي فَأَطَرْتُهَا بَيْنَ نِسَائِي.

[ت10/م8] ـ بابُ مَنْ كَرِهَهُ

4044 ـ حدّثنا الْقَعْنَبِيُّ، عن مَالِكٍ، عن نَافِعٍ، عن إِبْرَاهِيمَ بنِ عَبْدِ اللَّهِ بنِ حُنَيْنٍ، عن أَبِيهِ، عن عَلِيِّ بنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ عَنْهُ: «أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ لُبْسِ الْقَسِّيِّ، وَعَنْ لُبْسِ الْمُعَصْفَرِ، وَعَنْ تَخَتُّمِ الذَّهَبِ، وَعَنِ الْقِرَاءَةِ فِي الرُّكُوعِ».

4045 ـ حدّثنا أَحْمَدُ بنُ مُحَمَّدٍ الْمَرْوَزِيُّ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ، عن الزُّهْرِيِّ، عن إِبْرَاهِيمَ بنِ عَبْدِ اللَّهِ بنِ حُنَيْنٍ، عن أَبِيهِ، عن عَلِيِّ بنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ عَنْهُ، عن النَّبِيِّ ﷺ بِهَذَا قالَ: «عن الْقِرَاءَةِ فِي الرُّكُوعِ وَالسُّجُودِ».

4046 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن مُحَمَّدِ بنِ عَمْرٍو، عن إِبْرَاهِيمَ بنِ عَبْدِ اللَّهِ بِهَذَا. زَادَ: «وَلاَ أَقُولُ نَهَاكُمْ».

4047 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن عَلِيِّ بنِ زَيْدٍ، عن أَنَسِ بنِ مَالِكٍ: أَنَّ مَلِكَ الرُّومِ أَهْدَى إِلَى النَّبِيِّ ﷺ مُسْتَقَةً مِنْ سُنْدُسٍ، فَلَبِسَهَا فَكَأَنِّي أَنْظُرُ إِلَى يَدَيْهِ تَذَبْذَبَانِ. ثُمَّ بَعَثَ بِهَا إِلَى جَعْفَرٍ فَلَبِسَهَا، ثُمَّ جَاءَهُ، فَقَالَ النَّبِيُّ ﷺ: «**إِنِّي لَمْ أُعْطِكَهَا لِتَلْبَسَهَا**». قال: فَمَا أَصْنَعُ بِهَا؟ قال: «**أَرْسِلْ بِهَا إِلَى أَخِيكَ النَّجَاشِيِّ**».

4048 ـ حدّثنا مَخْلَدُ بنُ خَالِدٍ: حدَّثنا رَوْحٌ: حدثنا سَعِيدُ بنُ أَبِي عَرُوبَةَ، عن قَتَادَةَ، عن الْحَسَنِ، عن عِمْرَانَ بنِ حُصَيْنٍ: أَنَّ نَبِيَّ اللَّهِ ﷺ قالَ: «**لاَ أَرْكَبُ الأُرْجُوَانَ، وَلاَ أَلْبَسُ الْمُعَصْفَرَ، وَلاَ أَلْبَسُ الْقَمِيصَ الْمُكَفَّفَ بِالْحَرِيرِ**». قال: وَأَوْمَأَ الْحَسَنُ إِلَى

portion of his shirt and said that he (the Prophet) resumed: "Behold! The true perfume of men (for which they bear no sin) is that which smells good, but it has no colour! Behold! The true perfume of women (for which they bear no sin) is that which has colour, even though it does not smell!"

Sa'id says: I think that they (the religious scholars) apply his statement pertaining to the woman's perfume only to the case of her coming out of the house, but when she is in the house, she could perfume herself to her husband as much as she likes.

4049- It is narrated on the authority of Abu Al-Husain: Al-Haitham Ibn Shafi that he said: I set out with a companion of me called Abu Amir, a man from Mu'afir, in order to offer prayer in the mosque of Ilya, and their storyteller at that time was a man from Azd called Abu Raihanah, belonging to the companions (of the Prophet). My companion preceded me to the mosque, and I followed him and sat by his side in the mosque. He asked me: "Have you caught up with the stories of Abu Raihanah?" I answered in the negative. He said: "I heard him having said:" The Messenger of Allah "Allah's blessing and peace be upon him" forbade ten things: making artificial spaces between the teeth, tattooing, depilating the hair (of the face, or the eyebrows); (and he further forbade) that a man should lie with another man while both naked, and that a woman should lie with another woman while both naked, that a man should have silk over the lower portion of his dress like the non-Arabs, or to have silk over his shoulders like the non-Arabs; (and he further forbade) robbery, riding over (the skin of) tigers, and wearing a ring unless one is endued with the power of authority (with which having a ring is necessary)."

4050- It is narrated on the authority of Ali that he said: (Sitting on) red cushions (of brocade over the saddles) was forbidden.

4051- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade me to have a gold ring, to wear a dress of linen containing silk (brought from an Egyptian town), and to sit on a red cushion of brocade (over the saddle).

4052- It is narrated on the authority of A'ishah that she said: The Prophet "Allah's blessing and peace be upon him" prayed in a square garment having marks. During the prayer, he looked at its marks. So when he finished from the prayer he said: "Take this square garment of mine to Abu Jahm for It has diverted my attention from the prayer and get me his woollen garment without marks." Abu Dawud says: Abu Jahm is the son of Hudhaifah, belonging to the sons of Adi Ibn Ka'b Ibn Ghanim.

جَيْبِ قَمِيصِهِ. قالَ: وَقَالَ: «**أَلاَ وَطِيبُ الرِّجَالِ رِيحٌ لاَ لَوْنَ لَهُ، أَلاَ وَطِيبُ النِّسَاءِ لَوْنٌ لاَ رِيحَ لَهُ**». قال سَعِيدٌ: أُرَاهُ قالَ: إِنَّمَا حَمَلُوا قَوْلَهُ فِي طِيبِ النِّسَاءِ، عَلَى أَنَّهَا إِذَا خَرَجَتْ. فَأَمَّا إِذَا كَانَتْ عِنْدَ زَوْجِهَا، فَلْتَطَّيَّبْ بِمَا شَاءَتْ.

4049 ـ حدّثنا يَزِيدُ بنُ خَالِدِ بنِ عَبْدِ اللَّهِ بنِ مَوْهَبِ الْهَمْدَانِيُّ: حدَّثنا المُفَضَّلُ ـ يعني ابنَ فَضَالَةَ ـ، عن عَيَّاشِ بنِ عَبَّاسٍ القِتْبَانِيِّ، عن أَبِي الْحُصَيْنِ ـ يَعْنِي الْهَيْثَمَ بنَ شَفِيٍّ ـ قالَ: «خَرَجْتُ أَنَا وَصَاحِبٌ لِي يُكْنَى أَبَا عَامِرٍ ـ رَجُلٍ مِنَ المَعَافِرِ ـ لِنُصَلِّيَ بِإِيلِيَاءَ، وَكَانَ قَاصَّهُمْ رَجُلٌ مِنَ الأَزْدِ، يُقَالُ لَهُ: أَبُو رَيْحَانَةَ، مِنَ الصَّحَابَةِ. قالَ أَبُو الْحُصَيْنِ: فَسَبَقَنِي صَاحِبِي إِلَى المَسْجِدِ، ثُمَّ رَدِفْتُهُ فَجَلَسْتُ إِلَى جَنْبِهِ، فَسَأَلَنِي: هَلْ أَدْرَكْتَ قَصَصَ أَبِي رَيْحَانَةَ؟ قُلْتُ: لاَ. قال: سَمِعْتُهُ يَقُولُ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ عَشْرٍ: عن الْوَشْرِ، وَالْوَشْمِ، وَالنَّتْفِ، وَعن مُكَامَعَةِ الرَّجُلِ الرَّجُلَ بِغَيْرِ شِعَارٍ، وَعَنْ مُكَامَعَةِ المَرْأَةِ المَرْأَةَ بِغَيْرِ شِعَارٍ، وَأَنْ يَجْعَلَ الرَّجُلُ فِي أَسْفَلِ ثِيَابِهِ حَرِيرًا مِثْلَ الأَعَاجِمِ، أَوْ يَجْعَلَ عَلَى مَنْكِبَيْهِ حَرِيرًا مِثْلَ الأَعَاجِمِ، وَعَنِ النُّهْبَى، وَرُكُوبِ النُّمُورِ، وَلُبُوسِ الْخَاتَمِ إِلاَّ لِذِي سُلْطَانٍ».

قال أَبُو دَاوُدَ: الَّذي تَفَرَّدَ بِهِ مِنْ هَذَا الْحَدِيثِ خَبَرُ الْخَاتَمِ.

4050 ـ حدّثنا يَحْيَى بنُ حَبِيبٍ: حدَّثنا رَوْحٌ: حدَّثنا هِشَامٌ، عن مُحَمَّدٍ، عن عَبِيدَةَ، عن عَلِيٍّ رضيَ اللَّهُ عنهُ أَنَّهُ قالَ: «نُهِيَ عَنْ مَيَاثِرِ الأُرْجُوَانِ».

4051 ـ حدّثنا حَفْصُ بنُ عُمَرَ وَمُسْلِمُ بنُ إِبْرَاهِيمَ قالاَ: حدَّثنا شُعْبَةُ، عن أَبِي إِسْحَاقَ، عن هُبَيْرَةَ، عن عَلِيٍّ رضيَ اللَّهُ عنهُ قالَ: «نَهَانِي رَسُولُ اللَّهِ ﷺ عن خَاتَمِ الذَّهَبِ، وَعَنْ لُبْسِ الْقَسِّيِّ وَالمِيثَرَةِ الْحَمْرَاءِ».

4052 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا إِبْرَاهِيمُ بنُ سَعْدٍ: حدَّثنا ابنُ شِهَابٍ الزُّهْرِيُّ، عن عُرْوَةَ بنِ الزُّبَيْرِ، عن عَائِشَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ صَلَّى فِي خَمِيصَةٍ لَهَا أَعْلاَمٌ، فَنَظَرَ إِلَى أَعْلاَمِهَا، فَلَمَّا سَلَّمَ قالَ: «**اذْهَبُوا بِخَمِيصَتِي هَذِهِ إِلَى أَبِي جَهْمٍ، فَإِنَّهَا أَلْهَتْنِي آنِفًا فِي صَلاَتِي، وَائْتُونِي بِأَنْبِجَانِيَّتِهِ**».

قال أَبُو دَاوُدَ: أَبُو جَهْمِ بنُ حُذَيْفَةَ مِنْ بَنِي عَدِيِّ بنِ كَعْبِ بنِ غَانِمٍ.

4053- The same is narrated on the authority of Az-Zuhri from Urwah from A'ishah, even though the previous one has more details.

[11] The Concession Pertaining To Marks And Silken Strings

4054- It is narrated on the authority of Abdullah Abu Umar, the freed slave of Asma' Bint Abu Bakr that he said: I saw Ibn Umar having bought from the market a cloak made in Sham, and then he brought it back when he detected a silken red strings in it. I went to Asma' and made a mention of that to her, thereupon she said: "O slave-girl! Bring me the cloak of the Messenger of Allah "Allah's blessing and peace be upon him"!" she brought out a cloak of Persian cloth, with borders of brocade on its front part, sleeves and (the area over) the privates.

4055- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade wearing the dress made of pure silk. But as regards such of dresses as has marks and its borders of silk, there is no blame to have it.

[12] What About Wearing Silk On Account Of A Legal Excuse?

4056- It is narrated on the authority of Anas Ibn Malik that he said: the Messenger of Allah "Allah's blessing and peace be upon him" gave concession to both Abd Ar-Rahman Ibn Awf and Az-Zubair Ibn Al-Awwam to have silken shirts, on account of itchiness they suffered.

[13] What About Silk For Women?

4057- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" took silk and made it in his right hand, and took gold and made it in his left hand, and said: "Both are forbidden to the males among my nation."

4058- It is narrated on the authority of Anas Ibn Malik that he saw Umm Kulthum, the daughter of the Messenger of Allah "Allah's blessing and peace be upon him" having over her a garment striped with silk.

4059- It is narrated on the authority of Jabir Ibn Abdullah that he said: We used to deprive the boys of it (the silk) and leave it on the girls.

[14] What About The Hibrah?

(a green Yemenite Burdah made of cotton)

4060- It is narrated on the authority of Qatadah that he said: We asked Anas Ibn Malik: "Which dress was the dearest to the Messenger of Allah

4053 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ فِي آخَرِينَ قالُوا: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، عنْ عُرْوَةَ، عن عَائِشَةَ نَحْوَهُ، وَالأَوَّلُ أَشْبَعُ.

[ت11/م9] ـ بابُ الرُّخصَةِ في العَلَمِ وخَيطِ الحَرِيرِ

4054 ـ حدّثنا مُسَدَّدٌ: حدَّثنا عِيسَى بنُ يُونُسَ: حدَّثنا المُغِيرَةُ بنُ زِيَادٍ: حدَّثنا عَبْدُ اللَّهِ أَبُو عُمَرَ مَوْلَى أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ قالَ: «رَأَيْتُ ابنَ عُمَرَ فِي السُّوقِ اشْتَرَى ثَوْبًا شَامِيًّا، فَرَأَى فِيهِ خَيْطًا أَحْمَرَ، فَرَدَّهُ. فَأَتَيْتُ أَسْمَاءَ فَذَكَرْتُ ذَلِكَ لَهَا، فَقَالَتْ: يَا جَارِيَةُ، نَاوِلِينِي جُبَّةَ رَسُولِ اللَّهِ ﷺ، فَأَخْرَجَتْ جُبَّةَ طَيَالِسَةٍ، مَكْفُوفَةَ الْجَيْبِ وَالْكُمَّيْنِ وَالْفَرْجَيْنِ بِالدِّيبَاجِ».

4055 ـ حدّثنا ابنُ نُفَيْلٍ: حدَّثنا زُهَيْرٌ: حدثنا خُصَيْفٌ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ قالَ: «إِنَّمَا نَهَى رَسُولُ اللَّهِ ﷺ عن الثَّوْبِ المُصْمَتِ مِنَ الْحَرِيرِ. فَأَمَّا الْعَلَمُ مِنَ الْحَرِيرِ وَسَدَى الثَّوْبِ، فَلاَ بَأْسَ بِهِ».

[ت12/م10] ـ بابٌ في لُبْسِ الحَرِيرِ لِعُذْرٍ

4056 ـ حدّثنا النُّفَيْلِيُّ: حدَّثنا عِيسَى ـ يَعْنِي ابنَ يُونُسَ ـ، عنْ سَعِيدِ بنِ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عن أَنَسٍ قال: «رَخَّصَ رَسُولُ اللَّهِ ﷺ لِعَبْدِ الرَّحْمَنِ بنِ عَوْفٍ، وَلِلزُّبَيْرِ بنِ الْعَوَّامِ فِي قُمُصِ الْحَرِيرِ فِي السَّفَرِ، مِنْ حِكَّةٍ كَانَتْ بِهِمَا».

[ت13/م11] ـ بابٌ في الحريرِ للنِّساءِ

4057 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا اللَّيْثُ، عن يَزِيدَ بنِ أَبِي حَبِيبٍ، عن أَبِي أَفْلَحَ الْهَمْدَانِيِّ، عن عَبْدِ اللَّهِ بنِ زُرَيْرٍ ـ يَعْنِي الْغَافِقِيَّ ـ: أَنَّهُ سَمِعَ عَلِيَّ بنَ أَبِي طَالِبٍ يَقُولُ: إِنَّ نَبِيَّ اللَّهِ ﷺ أَخَذَ حَرِيرًا، فَجَعَلَهُ فِي يَمِينِهِ. وَأَخَذَ ذَهَبًا، فَجَعَلَهُ فِي شِمَالِهِ، ثُمَّ قَالَ: «**إِنَّ هَذَيْنِ حَرَامٌ عَلَى ذُكُورِ أُمَّتِي**».

قالَ أبو داودَ: هو عبدُ اللَّهِ بنُ رَزِينٍ الغافِقِيُّ.

4058 ـ حدّثنا عَمْرُو بنُ عُثْمَانَ وَكَثِيرُ بنُ عُبَيْدٍ الْحِمْصِيَّانِ قالاَ: حدَّثنا بَقِيَّةُ، عن الزُّبَيْدِيِّ، عن الزُّهْرِيِّ، عن أَنَسِ بنِ مَالِكٍ: أَنَّهُ حَدَّثَهُ: «أَنَّهُ رَأَى عَلَى أُمِّ كُلْثُومَ بِنْتِ رَسُولِ اللَّهِ ﷺ بُرْدًا سِيَرَاءَ، قال: وَالسِّيَرَاءُ المُضَلَّعُ بِالْقَزِّ».

4059 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ: حدَّثنا أَبُو أَحْمَدَ ـ يَعْنِي الزُّبَيْرِيَّ ـ: حدَّثنا مِسْعَرٌ، عن عَبْدِ المَلِكِ بنِ مَيْسَرَةَ، عن عَمْرِو بنِ دِينَارٍ، عن جَابِرٍ قال: «كُنَّا نَنْزِعُهُ عن الْغِلْمَانِ، وَنَتْرُكُهُ عَلَى الْجَوَارِي. قالَ مِسْعَرٌ: فَسَأَلْتُ عَمْرَو بنَ دِينَارٍ عَنْهُ، فَلَمْ يَعْرِفْهُ».

[ت14/م12] ـ بابٌ في لُبْسِ الحِبَرَةِ

4060 ـ حدّثنا هُدْبَةُ بنُ خَالِدٍ الأَزْدِيُّ: حدَّثنا هَمَّامٌ، عن قَتَادَةَ قال: «قُلْنَا لأَنَسٍ ـ يَعْنِي

"Allah's blessing and peace be upon him"?" he said: "The Hibrah (Yemenite green Burdah made of cotton)."

[15] What About The White (Of Dresses)?

4061- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Get yourselves dressed in the white for it is the best of your dresses, in which you should shroud your dead; and the best of your kohl is the antimony, for it makes the sight much clearer, and helps the eyelashes to grow more."

[16] What About Washing The Dress?

4062- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" came to visit us, and saw a dishevelled man of unkempt hair, thereupon he said: "Has this (man) not found something therewith to level his hair?" he saw another man having a dirt dress, thereupon he said: "Has this (man) not found water therewith to wash his dress?"

4063- It is narrated on the authority of Abu Al-Ahwas from his father that he said: I went to the Messenger of Allah "Allah's blessing and peace be upon him", and I was wearing a cheap dress, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" asked me: "Have you got property?" He answered in the affirmative. He further asked: "From which things have you got property?" He said: "Allah Almighty have endowed me with camels, sheep, horses, and slaves." The Messenger of Allah "Allah's blessing and peace be upon him" then said: "When Allah bestows property upon you, let the traces of His Blessing and Honour be visible on you."

[17] What About Yellowishness?

4064- It is narrated on the authority of Zaid Ibn Aslam that Ibn Umar used to dye his beard with yellowish discharge so much until his dress would be filled with it. He was asked: "Why do you dye with the yellowish discharge?" he said: "The Messenger of Allah "Allah's blessing and peace be upon him" used to dye with the yellowish discharge, and there was no dye much dearer to him than it; and he used to dye all of his clothes, even his turban with it."

[18] What About Greenness?

4065- It is narrated on the authority of Abu Rimthah that he said: I went with my father to the Messenger of Allah "Allah's blessing and peace be upon him", and I saw him having two green Burdahs over him.

ابنَ مَالِكٍ ـ: أيُّ اللِّبَاسِ كَانَ أحَبَّ إلَى رَسُولِ اللَّهِ ﷺ، أوْ أعْجَبَ إلَى رَسُولِ اللَّهِ ﷺ؟ قال: الْحِبَرَةُ.

[ت15/م13] ـ باب في البياض

4061 ـ حدّثنا أحْمَدُ بنُ يُونُسَ: حدَّثنا زُهَيْرٌ: حدثنا عَبْدُ اللَّهِ بنُ عُثْمَانَ بنِ خُثَيْمٍ، عن سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**الْبَسُوا مِنْ ثِيَابِكُمُ الْبَيَاضَ، فَإِنَّهَا مِنْ خَيْرِ ثِيَابِكُمْ، وَكَفِّنُوا فِيهَا مَوْتَاكُمْ. وَإِنَّ خَيْرَ أَكْحَالِكُمُ الإِثْمِدُ، يَجْلُو الْبَصَرَ، وَيُنْبِتُ الشَّعَرَ**».

[ت16/م14] ـ بابٌ في غَسْلِ الثوبِ وفي الخُلْقانِ

4062 ـ حدّثنا النُّفَيْلِيُّ: حدَّثنا مِسْكِينٌ، عن الأوْزَاعِيِّ. (ح)، وحدَّثنا عُثْمَانُ بنُ أبِي شَيْبَةَ، عَنْ وَكِيعٍ، عن الأوْزَاعِيِّ نَحْوَهُ، عن حَسَّانَ بنِ عَطِيَّةَ، عن مُحَمَّدِ بنِ الْمُنْكَدِرِ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قالاَ: أتَانَا رَسُولُ اللَّهِ ﷺ، فَرَأى رَجُلاً شَعِثًا قَدْ تَفَرَّقَ شَعَرُهُ، فقالَ: «**أَمَا كَانَ هَذَا يَجِدُ مَا يُسَكِّنُ بِهِ شَعَرَهُ؟**». وَرَأى رَجُلاً آخَرَ وَعَلَيْهِ ثِيَابٌ وَسِخَةٌ، فقالَ: «**أَمَا كَانَ هَذَا يَجِدُ مَا يَغْسِلُ بِهِ ثَوْبَهُ؟**».

4063 ـ حدّثنا النُّفَيْلِيُّ: حدَّثنا زُهَيْرٌ: حدَّثنا أبُو إسْحَاقَ، عن أبِي الأحْوَصِ، عن أبِيهِ قال: أتَيْتُ النَّبِيَّ ﷺ فِي ثَوْبٍ دُونٍ، فقالَ: «**أَلَكَ مَالٌ؟**» قال: نَعَمْ. قال: «**مِنْ أَيِّ الْمَالِ؟**» قال: قَدْ آتَانِيَ اللَّهُ مِنَ الإبِلِ وَالْغَنَمِ وَالْخَيْلِ وَالرَّقِيقِ، قال: «**فَإِذَا آتَاكَ اللَّهُ مَالاً، فَلْيُرَ أَثَرُ نِعْمَةِ اللَّهِ عَلَيْكَ وَكَرَامَتِهِ**».

[ت17/م15] ـ بابٌ في المَصْبوغِ بالصُّفْرةِ

4064 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ الْقَعْنَبِيُّ: حدَّثنا عَبْدُ الْعَزِيزِ ـ يَعْنِي ابنَ مُحَمَّدٍ ـ، عن زَيْدٍ ـ يَعْنِي ابنَ أسْلَمَ ـ: «أنَّ ابنَ عُمَرَ كَانَ يَصْبغُ لِحْيَتَهُ بالصُّفْرَةِ، حَتَّى تَمْتَلِىءَ ثِيَابُهُ مِنَ الصُّفْرَةِ، فَقِيلَ لَهُ: لِمَ تَصْبغُ بالصُّفْرَةِ؟ فقال: إنِّي رَأيْتُ رَسُولَ اللَّهِ ﷺ يَصْبغُ بِهَا، وَلَمْ يَكُنْ شَيْءٌ أحَبَّ إلَيْهِ مِنْهَا. وَقَدْ كَانَ يَصْبغُ بِهَا ثِيَابَهُ كُلَّهَا، حَتَّى عِمَامَتَهُ».

[ت18/م16] ـ باب في الخُضْرة

4065 ـ حدّثنا أحْمَدُ بنُ يُونُسَ: حدَّثنا عُبَيْدُ اللَّهِ ـ يَعْنِي ابنَ إيَادٍ ـ: حدَّثنا إيَادٌ، عن أبِي رِمْثَةَ قال: «انْطَلَقْتُ مَعَ أبِي نَحوَ النَّبِيِّ ﷺ، فَرَأيْتُ عَلَيْهِ بُرْدَيْنِ أخْضَرَيْنِ».

[19] What About Redness?

4066- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that he said: We came with the Messenger of Allah "Allah's blessing and peace be upon him" from one side of the way, and when he turned to me, he saw on me a dress dyed with safflower, thereupon he said: "What is that?" I knew what he disliked. I went to my family while they were kindling the oven, in which I threw it. On the next day, I came to him, and he said to me: "O Abdullah! What has happened to the dress?" I told him, thereupon he said to me: "Why have you not dressed one of your wives in it? Indeed, there is no harm for women to wear that."

4067- The same is narrated on the authority of Hisham Ibn Al-Ghazi, through the same chain of transmission, in which he said: Such of garments as dyed with safflower is that which is not saturated in dye, nor does it have dye as light as rosy.

4068- It is narrated on the authority of Abdullah Ibn Amr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" saw on me a dress dyed with safflower, thereupon he said: "What is that?" I went and burnt it and the Messenger of Allah "Allah's blessing and peace be upon him" said to me: "What have you done with your dress?" I told him that I had burnt it, thereupon he said to me: "Why have you not dressed one of your wives in it?"

4069- It is narrated on the authority of Abdullah Ibn Amr that he said: A man having two garments dyed with reddish discharge came upon the Messenger of Allah "Allah's blessing and peace be upon him" and saluted him, but the Messenger of Allah "Allah's blessing and peace be upon him" did not return the greeting to him.

4070- It is narrated on the authority of Rafi' Ibn Khadij that he said: We were on journey in the company of the Messenger of Allah "Allah's blessing and peace be upon him", when the Messenger of Allah "Allah's blessing and peace be upon him" saw on our mounts dresses having red woollen strings, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "I do not like to see this reddishness having been prevalent among you." We stood up hurriedly in implementation of the statement of the Messenger of Allah "Allah's blessing and peace be upon him" that some of our camels were disturbed, and we took the dresses, and removed them from the mounts.

[ت19/م17] ـ بابٌ في الحُمْرةِ

4066 ـ حدّثنا مُسَدَّدٌ: حدَّثنا عِيسَى بنُ يُونُسَ: حدَّثنا هِشَامُ بنُ الْغَازِ، عن عَمْرِو بنِ شُعَيْبٍ، عن أبِيهِ، عن جَدِّهِ قالَ: هَبَطْنَا مَعَ رَسُولِ اللَّهِ ﷺ مِنْ ثَنِيَّةٍ، فَالْتَفَتَ إلَيَّ وَعَلَيَّ رَيْطَةٌ مُضَرَّجَةٌ بالْعُصْفرِ، فقالَ: «**مَا هَذِهِ الرَّيْطَةُ عَلَيْكَ؟**» فَعَرَفْتُ مَا كَرِهَ. فَأَتَيْتُ أَهْلِي وَهُمْ يَسْجُرُونَ تَنُورًا لَهُمْ، فَقَذَفْتُهَا فِيهِ. ثُمَّ أَتَيْتُهُ مِنَ الْغَدِ، فقال: «**يَا عَبْدَ اللَّهِ مَا فَعَلَتِ الرَّيْطَةُ؟**»، فَأَخْبَرْتُهُ، فقال: «**أفَلاَ كَسَوْتَهَا بَعْضَ أَهْلِكَ، فَإِنَّهُ لاَ بَأْسَ بِهِ لِلنِّسَاءِ**».

4067 ـ حدّثنا عَمْرُو بنُ عُثْمَانَ الْحِمْصِيُّ: حدَّثنا الْوَلِيدُ قالَ: قالَ هِشَامٌ ـ يَعْنِي ابنَ الْغَازِ ـ: «الْمُضَرَّجَةُ الَّتِي لَيْسَتْ بِمُشَبَّعَةٍ، وَلاَ الْمُوَرَّدَةُ».

4068 ـ حدّثنا مُحَمَّدُ بنُ عُثْمَانَ الدِّمَشْقِيُّ: حدَّثنا إسْمَاعِيلُ بنُ عَيَّاشٍ، عن شُرَحْبِيلَ بنِ مُسْلِمٍ، عن شُفْعَةَ، عن عَبْدِ اللَّهِ بنِ عَمْرِو بنِ الْعَاصِ قالَ: رَآنِي رَسُولُ اللَّهِ ﷺ ـ قالَ أبُو عَلِيٍّ اللُّؤْلُؤِيُّ: أُرَاهُ ـ وَعَلَيَّ ثَوْبٌ مَصْبُوغٌ بِعُصْفرٍ مُوَرَّدٌ، فقالَ: «**مَا هَذَا؟**» فَانْطَلَقْتُ فَأَحْرَقْتُهُ، فقال النَّبِيُّ ﷺ: «**مَا صَنَعْتَ بِثَوْبِكَ؟**» فَقُلْتُ: أَحْرَقْتُهُ، قالَ: «**أفَلاَ كَسَوْتَهُ بَعْضَ أَهْلِكَ**».

قال أبُو دَاوُدَ: رَوَاهُ ثَوْرٌ عن خَالِدٍ، فقال: مُوَرَّدٌ. وَطَاوسٌ قال: مُعَصْفَرٌ.

4069 ـ حدّثنا مُحَمَّدُ بنُ حُزَابَةَ: حدَّثنا إسْحَاقُ ـ يَعْنِي ابنَ مَنْصُورٍ ـ: حدَّثنا إسْرَائِيلُ، عن أبِي يَحْيَى، عن مُجَاهِدٍ، عن عَبْدِ اللَّهِ بنِ عَمْرٍو قال: «مَرَّ عَلَى النَّبِيِّ ﷺ رَجُلٌ عَلَيْهِ ثَوْبَانِ أَحْمَرَانِ، فَسَلَّمَ عَلَيْهِ، فَلَمْ يَرُدَّ عَلَيْهِ النَّبِيُّ ﷺ».

4070 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ: أخبرنا أبُو أُسَامَةَ، عن الْوَلِيدِ ـ يَعْنِي ابنَ كَثِيرٍ ـ، عن مُحَمَّدِ بنِ عَمْرِو بنِ عَطَاء، عن رَجُلٍ مِنْ بَنِي حَارِثَةَ، عن رَافِعِ بنِ خَدِيجٍ قال: «خَرَجْنَا مَعَ رَسُولِ اللَّهِ ﷺ فِي سَفَرٍ، فَرَأَى رَسُولُ اللَّهِ ﷺ عَلَى رَوَاحِلِنَا وَعَلَى إبِلِنَا أَكْسِيَةً، فِيهَا خُيُوط عِهْنٍ حُمْرٌ، فقال رَسُولُ اللَّهِ ﷺ: «**أَلاَ أَرَى هَذِهِ الْحُمْرَةَ قَدْ عَلَتْكُمْ؟**»، فَقُمْنَا سِرَاعًا لِقَوْلِ رَسُولِ اللَّهِ ﷺ، حَتَّى نَفَرَ بَعْضُ إبِلِنَا. فَأَخَذْنَا الأَكْسِيَةَ، فَنَزَعْنَاهَا عَنْهَا».

4071- It is narrated on the authority of Huraith Ibn Al-Abahh As-Salihi from a woman belonging to Banu Asad that she said: I was in the house of Zainab, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", while she was dying her dress with a reddish pigment. Such being the case, behold! the Messenger of Allah "Allah's blessing and peace be upon him" appeared to us, and when he saw the red pigment, he returned back. when Zainab observed that, she came to know that the Messenger of Allah "Allah's blessing and peace be upon him" disliked what she was doing. She took her dress, washed it entirely, and eliminated all traces of reddishness. Then, the Messenger of Allah "Allah's blessing and peace be upon him" came back, and when he detected nothing, he entered.

[20] The Concession Pertaining To That

4072- It is narrated on the authority of Al-Bara' that he said: The Messenger of Allah "Allah's blessing and peace be upon him" had his hair (as long as to) reach his earlobes; and I saw him having a cloak with red (lines), smarter than which I've never seen.

4073- It is narrated on the authority of Hilal Ibn Amir that he said: I saw the Messenger of Allah "Allah's blessing and peace be upon him" at Mina, delivering his sermon while being on a mule, having a red dress over him, and Ali was standing in front of him, conveying his speech to the people.

[21] What About The Blackness?

4074- It is narrated on the authority of A'ishah that she said: I made a Burdah of black (wool) for the Messenger of Allah "Allah's blessing and peace be upon him", and he wore it. When he sweated in it, he detected the smell of wool, (which he disliked), thereupon he threw it. However, he used to like the pleasant smell.

[22] What About The Edges Of The Garments?

4075- It is narrated on the authority of Jabir Ibn Sulaim that he said: I went to the Messenger of Allah "Allah's blessing and peace be upon him", and he was sitting with his knees close to his abdomen, placing his covering behind his knees, upon whose both ends he was reclining, and its edges were on his feet.

[23] What About The Turbans?

4076- It is narrated on the authority of Jabir that in the year of the Conquest (of Mecca), the Messenger of Allah "Allah's blessing and peace be upon him" entered Mecca having a black turban over him.

4071 ـ حدّثنا ابنُ عَوْفٍ الطَّائِيُّ: حدَّثنا مُحَمَّدُ بنُ إِسْمَاعِيلَ: حدَّثني أَبِي، قالَ ابنُ عَوْفٍ الطَّائِيُّ: وَقَرَأْتُ فِي أَصْلِ إِسْمَاعِيلَ قالَ: حدَّثني ضَمْضَمٌ ـ يَعْنِي ابنَ زُرْعَةَ ـ، عن شُرَيْح بنِ عُبَيْدٍ، عن حَبِيبِ بنِ عُبَيْدٍ، عن حُرَيْثِ بنِ الأَبَحِّ السَّلِيحِيِّ: أَنَّ امْرَأَةً مِنْ بَنِي أَسَدٍ قَالَتْ: «كُنْتُ يَوْمًا عِنْدَ زَيْنَبَ ـ امْرَأَةِ رَسُولِ اللَّهِ ﷺ ـ وَنَحْنُ نَصْبغُ ثِيَابًا لَهَا بِمَغْرَةٍ. فَبَيْنَا نَحْنُ كَذَلِكَ، إِذْ طَلَعَ عَلَيْنَا رَسُولُ اللَّهِ ﷺ. فَلَمَّا رَأَى المَغْرَةَ، رَجَعَ. فَلَمَّا رَأَتْ ذَلِكَ زَيْنَبُ، عَلِمَتْ أَنَّ رَسُولَ اللَّهِ ﷺ قَدْ كَرِهَ مَا فَعَلَتْ، فَأَخَذَتْ فَغَسَلَتْ ثِيَابَهَا، وَوَارَتْ كُلَّ حُمْرَةٍ. ثُمَّ إِنَّ رَسُولَ اللَّهِ ﷺ رَجَعَ فَاطَّلَعَ، فَلَمَّا لَمْ يَرَ شَيْئًا دَخَلَ».

[ت20/م18] ـ بابٌ في الرُّخْصَةِ في ذلكَ

4072 ـ حدّثنا حَفْصُ بنُ عُمَرَ النَّمَرِيُّ: حدَّثنا شُعْبَةُ، عن أَبِي إِسْحَاقَ، عن الْبَرَاءِ قالَ: «كَانَ رَسُولُ اللَّهِ ﷺ لَهُ شَعَرٌ يَبْلُغُ شَحْمَةَ أُذُنَيْهِ، وَرَأَيْتُهُ فِي حُلَّةٍ حَمْرَاءَ، لَمْ أَرَ شَيْئًا قَطُّ أَحْسَنَ مِنْهُ».

4073 ـ حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو مُعَاوِيَةَ، عن هِلَالِ بنِ عَامِرٍ، عن أَبِيهِ قالَ: «رَأَيْتُ رَسُولَ اللَّهِ ﷺ بِمِنًى يَخْطُبُ عَلَى بَغْلَةٍ، وَعَلَيْهِ بُرْدٌ أَحْمَرُ، وَعَلِيٌّ رضي اللَّهُ عنه أَمَامَهُ يُعَبِّرُ عَنْهُ».

[ت21/م19] ـ بابٌ في السَّوادِ

4074 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا هَمَّامٌ، عن قَتَادَةَ، عن مُطَرِّفٍ، عن عَائِشَةَ رضيَ اللَّهُ عنها قالَتْ: صَنَعْتُ لِلنَّبِيِّ ﷺ بُرْدَةً سَوْدَاءَ فَلَبِسَهَا، فَلَمَّا عَرِقَ فِيهَا وَجَدَ رِيحَ الصُّوفِ، فَقَذَفَهَا. قالَ: وَأَحْسَبُهُ قالَ: وَكَانَ يُعْجِبُهُ الرِّيحُ الطَّيِّبَةُ.

[ت22/م20] ـ بابٌ في الهُدْبِ

4075 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ مُحَمَّدٍ الْقُرَشِيُّ: حدَّثنا حَمَّادُ بنُ سَلَمَةَ: حدَّثنا يُونُسُ بنُ عُبَيْدٍ، عن عُبَيْدَةَ أَبِي خِدَاشٍ، عن أَبِي تَمِيمَةَ الْهُجَيْمِيِّ، عن جَابِرٍ ـ يَعْنِي ابنَ سُلَيْمٍ ـ قال: «أَتَيْتُ النَّبِيَّ ﷺ وَهُوَ مُحْتَبٍ بِشَمْلَةٍ، وَقَدْ وَقَعَ هُدْبُهَا عَلَى قَدَمَيْهِ».

[ت23/م21] ـ بابٌ في العَمَائِمِ

4076 ـ حدّثنا أَبُو الْوَلِيدِ الطَّيَالِسِيُّ، وَمُسْلِمُ بنُ إِبْرَاهِيمَ وَمُوسَى بنُ إِسْمَاعِيلَ قَالُوا: حدَّثنا حَمَّادٌ، عن أَبِي الزُّبَيْرِ، عن جَابِرٍ: «أَنَّ النَّبِيَّ ﷺ دَخَلَ عَامَ الْفَتْحِ مَكَّةَ، وَعَلَيْهِ عِمَامَةٌ سَوْدَاءُ».

4077- It is narrated on the authority of Ja'far Ibn Amr Ibn Huraith from his father that he said: I saw the Messenger of Allah "Allah's blessing and peace be upon him" on the pulpit, having a black turban over him, whose ends he let fall in between his shoulders.

4078- It is narrated on the authority of Abu Ja'far Ibn Muhammad Ibn Ali Ibn Rukanah from his father that Rukanah had a fighting contest with the Messenger of Allah "Allah's blessing and peace be upon him" and the Messenger of Allah "Allah's blessing and peace be upon him" overpowered him. Rukanah said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "What differentiates between us (the Muslims) and the pagans is (that we put on) turbans over the hats." (The pagans used to put on hats with no turbans over them)

4079- It is narrated on the authority of Abd Ar-Rahman Ibn Awf that he said: The Messenger of Allah "Allah's blessing and peace be upon him" made me put on a turban, and he let (one of its ends) fall in front of me (and the other) from behind me.

[24] What About As-Samma'?

(Wrapping one's body with a garment so that one cannot raise its end or take one's hand out of it)

4080- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade two kinds of dresses: Ishtimal As-Samma' (wrapping one's body with a garment so that one cannot raise its end or take one's hand out of it)and Al-Ihtiba' (sitting on buttocks with knees close to Abdomen and feet apart with the hands circling the knees) while wrapping oneself with a single garment, leaving his private parts uncovered.

4081- It is narrated on the authority of Jabir that the Messenger of Allah "Allah's blessing and peace be upon him" forbade two kinds of dresses: Al-Ihtiba' (sitting on buttocks with knees close to Abdomen and feet apart with the hands circling the knees) while wrapping oneself with a single garment, and Ishtimal As-Samma' (wrapping one's body with a garment so that one cannot raise its end or take one's hand out of it).

[25] What About Loosening The Buttons?

4082- It is narrated on the authority of Mu'awiyah Ibn Qurrah from his father that he said: I came to Allah's Apostle "Allah's blessing and peace be upon him" among a group of Muzainah, and we gave him the pledge of allegiance; and the buttons of his shirt were loosened. After I had given him

4077 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا أَبو أُسَامَةَ، عن مُسَاوِرٍ الْوَرَّاقِ، عن جَعْفَرِ بنِ عَمْرِو بنِ حُرَيْثٍ، عن أَبِيهِ قال: «رَأَيْتُ النَّبِيَّ ﷺ عَلَى الْمِنْبَرِ وَعَلَيْهِ عِمَامَةٌ سَوْدَاءُ، قَدْ أَرْخَى طَرَفَهَا بَيْنَ كَتِفَيْهِ».

4078 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ الثَّقَفِيُّ: حدَّثنا مُحَمَّدُ بنُ رَبِيعَةَ: حدَّثنا أَبُو الْحَسَنِ الْعَسْقَلاَنِيُّ، عن أَبِي جَعْفَرِ بنِ مُحَمَّدِ بنِ عَلِيِّ بنِ رُكَانَةَ، عن أَبِيهِ: أَنَّ رُكَانَةَ صَارَعَ النَّبِيَّ ﷺ، فَصَرَعَهُ النَّبِيُّ ﷺ. قَالَ رُكَانَةُ: وَسَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «**فَرْقُ مَا بَيْنَنَا وَبَيْنَ الْمُشْرِكِينَ الْعَمَائِمُ عَلَى الْقَلاَنِسِ**».

4079 ـ حدّثنا مُحَمَّدُ بنُ إِسْمَاعِيلَ مَوْلَى بَنِي هَاشِمٍ: حدَّثنا عُثْمانُ بنُ عُثْمَانَ الْغَطَفَانِيُّ: حدَّثنا سُلَيْمَانُ بنُ خَرَّبُوذَ: حدثني شَيْخٌ مِنْ أَهْلِ الْمَدِينَةِ قالَ: سَمِعْتُ عَبْدَ الرَّحْمَنِ بنَ عَوْفٍ يَقُولُ: «عَمَّمَنِي رَسُولُ اللَّهِ ﷺ، فَسَدَلَهَا بَيْنَ يَدَيَّ وَمِنْ خَلْفِي».

[ت24/م22] ـ بابٌ في لِبْسة الصمَّاءِ

4080 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا جَرِيرٌ، عن الأَعْمَشِ، عن أَبِي صَالِحٍ، عن أَبِي هُرَيْرَةَ قال: «نَهَى رَسُولُ اللَّهِ ﷺ عَنْ لِبْسَتَيْنِ: أَنْ يَحْتَبِيَ الرَّجُلُ مُفْضِيًا بِفَرْجِهِ إِلَى السَّمَاءِ، وَيَلْبَسَ ثَوْبَهُ وَأَحَدُ جَانِبَيْهِ خَارِجٌ، وَيُلْقِيَ ثَوْبَهُ عَلَى عَاتِقِهِ».

4081 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ، عن أَبِي الزُّبَيْرِ، عن جَابِرٍ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ عن الصَّمَّاءِ، وعن الاحْتِبَاءِ في ثَوْبٍ وَاحِدٍ».

[ت25/م23] ـ بابٌ في حلِّ الأَزْرَارِ

4082 ـ حدّثنا النُّفَيْلِيُّ وَأَحْمَدُ بنُ يُونُسَ قالاَ: حدَّثنا زُهَيْرٌ: حدَّثنا عَرْوَةُ بنُ عَبْدِ اللَّهِ ـ قالَ ابنُ نُفَيْلٍ: ابن قُشَيْرٍ ـ أَبو مَهَلٍ الْجُعْفِيُّ: حدَّثنا مُعَاوِيَةُ بنُ قُرَّةَ: حَدَّثَنِي أَبِي قال: «أَتَيْتُ رَسُولَ اللَّهِ ﷺ فِي رَهْطٍ مِنْ مُزَيْنَةَ، فَبَايَعْنَاهُ وَإِنَّ قَمِيصَهُ لَمُطْلَقُ الأَزْرَارِ.

the pledge of allegiance, I got my hand into the opening of his shirt, and able to touch the seal (of Prophethood between his shoulders). Urwah said: I have never seen neither Mu'awiyah nor his father, whether in winter or summer, but with the buttons of their shirts loosened.

[26] What About Covering The Head And Most Of The Face?

4083- It is narrated on the authority of A'ishah that she said: While we were sitting in our house (at Mecca) at the first portion of the noon man said to Abu Bakr: "This is the Messenger of Allah "Allah's blessing and peace be upon him": he is coming, while covering his head and most of his face, and it was unusual to him to visit us in that very hour." The Messenger of Allah "Allah's blessing and peace be upon him" came, and asked for permission, and he was admitted.

[27] What About Hanging Down The Lower Garment?

4084- It is narrated on the authority of Jabir Ibn Sulaim that he said: I saw the people depending in their manners and conduct upon the opinion of a man, and he did not say anything but that they would come to carry out it. I asked: "Who is that?" it was said: "He is the Messenger of Allah "Allah's blessing and peace be upon him"." I said: "Upon you be peace O Messenger of Allah." I said it twice, after which he said: "Do not say "Upon you be peace", for indeed, the statement "Upon you be peace" is the salutation therewith the dead are greeted. But you might say: "Peace be upon you."" I asked him: "Are you the Apostle of Allah?" he said: "I'm the Apostle of Allah, Who, if a calamity touches you and you invoke Him, He will remove it from you, and if you are afflicted with a famine (year) and you invoke Him, He will cause plant to grow for you, and if you lose your mount while being in a desert land and then you invoke Him, He will restore it to you,." I said to him: "Then, advise me." He said: "Do not abuse anyone." He said: "Afterwards, I've never abused anyone, be he free or slave, be it a camel or a sheep." He (the Prophet) further said: "Do not abstain from doing favour (to others), even though you (have nothing to give except that you should) meet your brother cheerfully, it is out of favour. You should further make your waist garment down to half the legs, and if you do not like that, then, let it be down to the heels, and beware of letting your lower garment drag on the ground, for indeed, letting one's lower garment drag on the ground is out of pride, and Allah "Blessed and Exalted be He" never likes the pride. Furthermore, if anyone abuses you, and censures you with what he knows of you, do not censure him with what you know of him, for indeed, (if you do not do the same with him) the evil consequence of that would be against him."

قال: فَبَايَعْتُهُ ثُمَّ أَدْخَلْتُ يَدِي فِي جَيْبِ قَمِيصِهِ، فَمَسِسْتُ الْخَاتَمَ. قالَ عُرْوَةُ: فَمَا رَأَيْتُ مُعَاوِيَةَ وَلاَ ابْنَهُ قَطُّ، إلاَّ مُطْلِقِي أَزْرَارِهِمَا فِي شِتَاء وَلاَ حَرٍّ، وَلاَ يُزَرِّرَان أَزْرَارَهُمَا أَبَدًا».

[ت26/م24] ـ بابٌ في التَّقنُّعِ

4083 ـ حدّثنا مُحَمَّدُ بنُ دَاوُدَ بنِ سُفْيَانَ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ قالَ: قالَ الزُّهْرِيُّ: قالَ عُرْوَةُ: قالَتْ عَائِشَةُ رَضِيَ اللَّهُ عَنْهَا: «بَيْنَا نَحْنُ جُلُوسٌ فِي بَيْتِنَا فِي نَحْرِ الظَّهِيرَةِ، قالَ قائِلٌ لأَبِي بَكْرٍ رضي اللَّهُ عنه: هَذَا رَسُولُ اللَّهِ ﷺ مُقْبِلاً، مُتَقَنِّعًا فِي سَاعَةٍ لَمْ يَكُنْ يَأْتِينَا فِيهَا. فَجَاءَ رَسُولُ اللَّهِ ﷺ، فَاسْتَأْذَنَ فَأُذِنَ لَهُ، فَدَخَلَ».

[ت27/م25] ـ بابُ ما جاء في إِسْبَال الإِزَار

4084 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن أَبِي غِفَارٍ: حدَّثنا أَبُو تَمِيمَةَ الْهُجَيْمِيُّ، ـ وَأَبُو تَمِيمَةَ اسْمُهُ: طَرِيفُ بنُ مُجَالِدٍ ـ عن أَبِي جُرَيٍّ جَابِرِ بنِ سُلَيْمٍ قالَ: رَأَيْتُ رَجُلاً يَصْدُرُ النَّاسُ عن رَأْيِهِ، لاَ يَقُولُ شَيْئًا إلاَّ صَدَرُوا عَنْهُ. قُلْتُ: مَنْ هَذَا؟ قالُوا: هَذَا رَسُولُ اللَّهِ ﷺ، قُلْتُ: عَلَيْكَ السَّلاَمُ يا رَسُولَ اللَّهِ، مَرَّتَيْنِ، قالَ: «**لاَ تَقُلْ عَلَيْكَ السَّلاَمُ، فَإِنَّ عَلَيْكَ السَّلاَمُ تَحِيَّةُ الْمَيِّتِ، قُلِ: السَّلاَمُ عَلَيْكَ**». قالَ قُلْتُ: أَنْتَ رَسُولُ اللَّهِ؟ قالَ: «**أَنَا رَسُولُ اللَّهِ الَّذِي إِذَا أَصَابَكَ ضُرٌّ فَدَعَوْتَهُ كَشَفَهُ عَنْكَ. وَإِنْ أَصَابَكَ عَامُ سَنَةٍ، فَدَعَوْتَهُ أَنْبَتَهَا لَكَ. وَإِذَا كُنْتَ بِأَرْضٍ قَفْراءَ أَوْ فَلاَةٍ فَضَلَّتْ رَاحِلَتُكَ، فَدَعَوْتَهُ رَدَّهَا عَلَيْكَ**». قالَ: قُلْتُ: اعْهَدْ إِلَيَّ. قالَ: «**لاَ تَسُبَّنَّ أَحَدًا**». قالَ: فَمَا سَبَبْتُ بَعْدَهُ حُرًّا، وَلاَ عَبْدًا، وَلاَ بَعِيرًا، وَلاَ شَاةً. قالَ: «**وَلاَ تَحْقِرَنَّ شَيْئًا مِنَ الْمَعْرُوفِ، وَأَنْ تُكَلِّمَ أَخَاكَ وَأَنْتَ مُنْبَسِطٌ إِلَيْهِ وَجْهُكَ إِنَّ ذَلِكَ مِنَ الْمَعْرُوفِ، وَارْفَعْ إِزَارَكَ إِلَى نِصْفِ السَّاقِ، فَإِنْ أَبَيْتَ فَإِلَى الْكَعْبَيْنِ، وَإِيَّاكَ وَإِسْبَالَ الإِزَارِ، فَإِنَّهَا مِنَ الْمَخِيلَةِ، وَإِنَّ اللَّهَ لاَ يُحِبُّ الْمَخِيلَةَ، وَإِنِ امْرُؤٌ شَتَمَكَ وَعَيَّرَكَ بِمَا يَعْلَمُ فِيكَ، فَلاَ تُعَيِّرْهُ بِمَا تَعْلَمُ فِيهِ، فَإِنَّمَا وَبَالُ ذَلِكَ عَلَيْهِ**».

4085- It is narrated on the authority of Salim Ibn Abdullah from his father Ibn Umar that he said: Allah's Apostle "Allah's blessing and peace be upon him" said: “He, who drags his robe (behind him) out of pride, Allah will not look at him on the Day of Judgment." Abu Bakr said: "One side of my robe slacks down unless I get very cautious about it." Allah's Apostle "Allah's blessing and peace be upon him" said: "But you do not do that out of pride."

4086- It is narrated on the authority of Abu Hurairah that he said: While a man was praying, letting his lower garment fall down his heels, the Messenger of Allah "Allah's blessing and peace be upon him" said to him: “Go and perform ablution (and pray once again).” He went and performed ablution, and came back, thereupon he said to him once again: “Go and perform ablution.” A man said to the Prophet: “O Messenger of Allah! Why have you commanded him to perform ablution (more than once) and then you stopped from (giving him the same order)?” the Messenger of Allah "Allah's blessing and peace be upon him" said: “He was praying while letting his lower garment fall down his heels, and indeed, Allah never accepts the prayer of such as lets his lower garment fall down his heels.”

4087- It is narrated on the authority of Abu Dharr that the Messenger of Allah "Allah's blessing and peace be upon him" said: "There are three persons whom Allah will never speak with on the Day of Judgement, nor will He look at, nor will He purify and theirs shall be a severe punishment.” I said: “Who are those O Messenger of Allah? Let them fail and lose (the right way)!” he said it thrice, and I asked once again: “Who are those O Messenger of Allah? Let them fail and lose (the right way)!” the Messenger of Allah "Allah's blessing and peace be upon him" said: “(Those are) such as lets his lower garment fall and drag on the ground (out of arrogance); such as gives gifts, and then makes reminder of generosity; and such as popularizes his commodities by false oaths.”

4088- The same is narrated on the authority of Abu Dharr from the Messenger of Allah "Allah's blessing and peace be upon him", through the same chain of transmission, even though the previous one is more perfect.

4089- It is narrated on the authority of Qais Ibn Bishr At-Taghlibi that his father, who had the privilege of the company of Abu Ad-Darda' told him: There was a man in Damascus who was a Companion of the Messenger of Allah "Allah's blessing and peace be upon him". He was called Ibn Al-Hanzaliyyah. He was a lonesome person and would rarely spend for a long time in the company of people. He would spend most of

4085 ـ حدّثنا النُّفَيْلِيُّ: حدَّثنا زُهَيْرٌ: حدَّثنا مُوسَى بنُ عُقْبَةَ، عن سَالِمِ بنِ عَبْدِ اللَّهِ، عن أَبِيهِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ جَرَّ ثَوْبَهُ خُيَلاَءَ، لَمْ يَنْظُرِ اللَّهُ إِلَيْهِ يَوْمَ الْقِيَامَةِ**»، فَقَالَ أَبُو بَكْرٍ: إِنَّ أَحَدَ جَانِبَيْ إِزَارِي يَسْتَرْخِي، إِنِّي لأَتَعَاهَدُ ذَلِكَ مِنْهُ. قال: «**لَسْتَ مِمَّنْ يَفْعَلُهُ خُيَلاَءَ**».

4086 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا أَبَانُ: حدَّثنا يَحْيَى، عن أَبِي جَعْفَرٍ، عن عَطَاء بنِ يَسَارٍ، عن أَبِي هُرَيْرَةَ قالَ: بَيْنَمَا رَجُلٌ يُصَلِّي مُسْبِلاً إِزارَهُ، فَقَالَ لَهُ رَسُولُ اللَّهِ ﷺ: «**اذْهَبْ فَتَوَضَّأْ**». فَذَهَبَ فَتَوَضَّأَ، ثُمَّ جَاءَ فَقَالَ: «**اذْهَبْ فَتَوَضَّأْ**»، فَقَالَ لَهُ رَجُلٌ: يَا رَسُولَ اللَّهِ مَا لَكَ أَمَرْتَهُ أَنْ يَتَوَضَّأَ، ثُمَّ سَكَتَّ عَنْهُ؟ قال: «**إِنَّهُ كَانَ يُصَلِّي وَهُوَ مُسْبِلٌ إِزَارَهُ، وَإِنَّ اللَّهَ تَعَالَى لاَ يَقْبَلُ صَلاَةَ رَجُلٍ مُسْبِلٍ**».

4087 ـ حدّثنا حَفْصُ بنُ عُمَرَ: حدَّثنا شُعْبَةُ، عن عَلِيِّ بنِ مُدْرِكٍ، عن أَبِي زُرعَةَ بنِ عمرِو بن جَرِيرٍ، عن خَرَشَةَ بنِ الحُرِّ، عن أَبِي ذَرٍّ، عن النَّبِيِّ ﷺ أَنَّهُ قالَ: «**ثَلاَثَةٌ لاَ يُكَلِّمُهُمُ اللَّهُ، وَلاَ يَنْظُرُ إِلَيْهِمْ يَوْمَ الْقِيَامَةِ، وَلاَ يُزَكِّيهِمْ، وَلَهُمْ عَذَابٌ أَلِيمٌ**». قُلْتُ: مَنْ هُمْ يَا رَسُولَ اللَّهِ؟ قَدْ خَابُوا وَخَسِرُوا، فَأَعَادَهَا ثَلاَثًا. قُلْتُ: مَنْ هُمْ يَا رَسُولَ اللَّهِ؟ خَابُوا وَخَسِرُوا. فقالَ: «**الْمُسْبِلُ، وَالْمَنَّانُ، وَالْمُنْفِقُ سِلْعَتَهُ بِالْحَلِفِ الْكَاذِبِ، أَوِ الْفَاجِرُ**».

4088 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عنْ سُفْيَانَ، عن الأَعْمَشِ، عن سُلَيْمَانَ بنِ مُسْهِرٍ، عنْ خَرَشَةَ بنِ الْحُرِّ، عنْ أَبِي ذَرٍّ، عن النَّبِيِّ ﷺ بِهَذَا، وَالأَوَّلُ أَتَمُّ. قالَ: «**الْمَنَّانُ الَّذِي لاَ يُعْطِي شَيْئًا إِلاَّ مِنَّةً**».

4089 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ: حدَّثنا أَبُو عَامِرٍ ـ يَعْنِي عَبْدَ المَلِكِ بنَ عَمْرٍو ـ: حدثنا هِشَامُ بنُ سَعْدٍ، عنْ قَيْسِ بنِ بِشْرٍ التَّغْلِبِيِّ قالَ: أخبرني أَبِي، وَكَانَ جَلِيسًا لأَبِي الدَّرْدَاءِ قالَ: كَانَ بِدِمَشْقَ رَجُلٌ مِنْ أَصْحَابِ النَّبِيِّ ﷺ، يُقَالُ لَهُ: ابْنُ الْحَنْظَلِيَّةِ. وَكَانَ رَجُلاً مُتَوَحِّدًا، قَلَّمَا يُجَالِسُ النَّاسَ، إِنَّمَا هُوَ في

his time in performing prayer and when he finished, he would engage himself in the glorification, magnification and praising of Allah Almighty till he would go home. He passed by us one day when we were sitting with Abu Ad-Darda'. The latter said to him: "Tell us something which will benefit us even though it will not harm you." He said: "The Messenger of Allah "Allah's blessing and peace be upon him" sent a detachment. When they returned, one of them came to the gathering in which the Messenger of Allah "Allah's blessing and peace be upon him" was present and said to his neighbour during the conversation: "Would that you had seen us when we encountered the enemy. So-and-so (a believer) took up his spear, struck and said: 'Take this from me and I am the Ghifari boy.' Now what do you think about that?" The neighbour said: "I think that he lost his reward because of boasting." He said: "I see no harm in it." They began to exchange arguments till the Messenger of Allah "Allah's blessing and peace be upon him" heard them and said: "Glory be to Allah! He would be rewarded (in the Hereafter) and praised (in this world)'."" I noticed that Abu Ad-Darda' felt a great pleasure at this remark and, raising his head, began to repeat: "Have you really heard that from the Messenger of Allah "Allah's blessing and peace be upon him"?" Abu Ad-Darda' kept repeating the same question (and coming closer and closer to him, and Ibn Al-Hanzaliyyah kept giving the same answer) until I thought Abu Ad-Darda' would kneel down on the knees of Ibn Al-Hanzaliyyah. Ibn Al-Hanzaliyyah happened to pass by us another day and Abu Ad-Darda' said to him: "Tell us something which will benefit us even though it will not harm you." He said: "The Messenger of Allah "Allah's blessing and peace be upon him" told us: "He who spends to purchase a horse (for Jihad) is like one who extends his hand for spending out of charity without restraining it."" He passed by us on a third day and Abu Ad-Darda' said to him: "Tell us something which might benefit us, even though it will not harm you." He said: "The Messenger of Allah "Allah's blessing and peace be upon him" said: "Khuraim Al-Usaidi is an excellent man were it not for his long hair and his lower garment which he lets fall down his heels." When Khuraim heard of what the Messenger of Allah "Allah's blessing and peace be upon him" had said about him, he hastened to trim his long hair up to his ears with a knife and raise his lower garment up to the half of his shanks." He passed by us on a fourth day and Abu Ad-Darda' said to him: "Tell us something that will benefit us even though it will not harm you." He said that he heard the Messenger of Allah "Allah's blessing and peace be upon him" having said while coming back from an expedition: "You are returning to your brothers, so set right your saddles and clothes in order that you look tidy and graceful in the sight of the people. Allah never likes untidiness or insistence on it."

صَلاَةٍ. فَإِذَا فَرَغَ، فَإِنَّمَا هُوَ تَسْبِيحٌ وَتَكْبِيرٌ حَتَّى يَأْتِيَ أَهْلَهُ. قالَ: فَمَرَّ بِنَا وَنَحْنُ عِنْدَ أَبِي الدَّرْدَاءِ، فَقَالَ لَهُ أَبُو الدَّرْدَاءَ: كَلِمَةً تَنْفَعُنَا وَلاَ تَضُرُّكَ، قالَ: بَعَثَ رَسُولُ اللَّهِ ﷺ سَرِيَّةً فَقَدِمَتْ، فَجَاءَ رَجُلٌ مِنْهُمْ فَجَلَسَ فِي الْمَجْلِسِ الَّذِي يَجْلِسُ فِيهِ رَسُولُ اللَّهِ ﷺ، فَقَالَ لِرَجُلٍ إِلَى جَنْبِهِ: لَوْ رَأَيْتَنَا حِينَ الْتَقَيْنَا نَحْنُ وَالْعَدُوُّ، فَحَمَلَ فُلاَنٌ فَطَعَنَ، فَقَالَ: خُذْهَا مِنِّي وَأَنَا الْغُلاَمُ الْغِفَارِيُّ، كَيْفَ تَرَى فِي قَوْلِهِ؟ قالَ: مَا أُرَاهُ إِلاَّ قَدْ بَطَلَ أَجْرُهُ. فَسَمِعَ بِذَلِكَ آخَرُ، فَقَالَ: مَا أَرَى بِذَلِكَ بَأْسًا. فَتَنَازَعَا حَتَّى سَمِعَ ذلك رَسُولُ اللَّهِ ﷺ، فَقَالَ: **«سُبْحَانَ اللَّهِ، لاَ بَأْسَ أَنْ يُؤْجَرَ وَيُحْمَدَ»**. فَرَأَيْتُ أَبَا الدَّرْدَاء سُرَّ بِذَلِكَ، وَجَعَلَ يَرْفَعُ رَأْسَهُ إِلَيْهِ، وَيَقُولُ: أَنْتَ سَمِعْتَ ذَلِكَ مِنْ رَسُولِ اللَّهِ ﷺ؟ فَيَقُولُ: نَعَمْ. فَمَا زَالَ يُعِيدُ عَلَيْهِ، حَتَّى إِنِّي لأَقُولُ لَيَبْرُكَنَّ عَلَى رُكْبَتَيْهِ.

قالَ: فَمَرَّ بِنَا يَوْمًا آخرَ، فَقَالَ لَهُ أَبُو الدَّرْدَاءِ: كَلِمَةً تَنْفَعُنَا وَلاَ تَضُرُّكَ، قالَ: قالَ لَنَا رَسُولُ اللَّهِ ﷺ: **«الْمُنْفِقُ عَلَى الْخَيْلِ كَالْبَاسِطِ يَدَهُ بِالصَّدَقَةِ، لاَ يَقْبِضُهَا»**. ثُمَّ مَرَّ بِنَا يَوْمًا آخرَ، فَقَالَ لَهُ أَبُو الدَّرْدَاءِ: كَلِمَةً تَنْفَعُنَا وَلاَ تَضُرُّكَ، قالَ: قالَ لَنَا رَسُولُ اللَّهِ ﷺ: **«نِعْمَ الرَّجُلُ خُرَيْمٌ الأَسَدِيُّ، لَوْلاَ طُولُ جُمَّتِهِ، وَإِسْبَالُ إِزَارِهِ»**، فَبَلَغَ ذَلِكَ خُرَيْمًا، فَعَجِلَ فَأَخَذَ شَفْرَةً فَقَطَعَ بِهَا جُمَّتَهُ إِلَى أُذُنَيْهِ، وَرَفَعَ إِزَارَهُ إِلَى أَنْصَافِ سَاقَيْهِ. ثُمَّ مَرَّ بِنَا يَوْمًا آخَرَ، فَقَالَ لَهُ أَبُو الدَّرْدَاءِ: كَلِمَةً تَنْفَعُنَا وَلاَ تَضُرُّكَ، فَقَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«إِنَّكُمْ قَادِمُونَ عَلَى إِخْوَانِكُمْ، فَأَصْلِحُوا رِحَالَكُمْ وَأَصْلِحُوا لِبَاسَكُمْ، حَتَّى تَكُونُوا كَأَنَّكُمْ شَامَةٌ فِي النَّاسِ، فَإِنَّ اللَّهَ تَعَالَى لاَ يُحِبُّ الْفُحْشَ وَلاَ التَّفَحُّشَ»**.

قال أَبُو دَاوُدَ: وَكَذَلِكَ قالَ أَبُو نُعَيْمٍ عنْ هِشَامٍ قالَ: **«حَتَّى تَكُونُوا كَالشَّامَةِ فِي النَّاسِ»**.

[28] What About Arrogance?

4090- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: Allah Almighty says: "Majesty acts as My Lower Garment, and Magnificence acts as My Upper Garment; and such as disputes with Me over any of both, I will throw him into the fire (of Hell)."

4091- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "No one, has in his heart (as little as) even the like of a mustard seed of arrogance will be admitted to the Garden; and no one, has in his heart (as little as) even the like of a mustard seed of faith will be admitted to the fire (of Hell)."

4092- It is narrated on the authority of Abu Hurairah that a man came to the Messenger of Allah "Allah's blessing and peace be upon him", and he was very good-looking, and said: "O Messenger of Allah! Prettiness has been made lovable to me, and I've been given such a portion of prettiness as you see to the extent that I do not like to have anyone excel me even with the lace of his sandal: is this out of arrogance?" the Messenger of Allah "Allah's blessing and peace be upon him" said: "No, but it is out of arrogance to refrain from the truth, and deride the people."

[29] How Long Should The Lower Garment Be?

4093- It is narrated on the authority of Al-Ala' Ibn Abd Ar-Rahman from his father that he said: I asked Abu Sa'id Al-Khudri about the lower garment, thereupon he said: "No doubt, you've found a well-informed one (who is able to tell you the truth in this respect): the Messenger of Allah "Allah's blessing and peace be upon him" said: "The lower garment of a Muslim should end at the half of his legs; and there is no harm on him to cover (any part) in the area between that and his ankles; and what is below the ankles will be in the fire (of Hell). Indeed, Allah will never look (with Mercy) at such as drags his garment (on the ground) out of arrogance."

4094- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Hanging down the lower garment, shirt or turban (is forbidden); and Allah will never look at such as drags his garment (on the ground) out of arrogance on the Day of Judgement."

4095- It is narrated on the authority of Ibn Umar that he said: What the Messenger of Allah "Allah's blessing and peace be upon him" said

[ت28/م26] ـ باب ما جاء في الكِبْرِ

4090 ـ حدّثنا مُوسَى بنُ إسْمَاعِيلَ: حدَّثنا حَمَّادٌ. (ح): وحدَّثنا هَنَّادٌ ـ يَعْنِي ابنَ السَّرِيِّ ـ، عن أبِي الأحْوَصِ، عنْ عَطَاء بنِ السَّائِبِ، قَالَ مُوسَى: عن سَلْمَانَ الأغَرِّ. وَقَالَ هَنَّادٌ: عنِ الأغَرِّ أبِي مُسْلِم، عنْ أبِي هُرَيْرَةَ، قالَ هَنَّادٌ: قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**قَالَ اللَّهُ عَزَّ وَجَلَّ: الْكِبْرِيَاءُ رِدَائِي، وَالْعَظَمَةُ إزَارِي. فَمَنْ نَازَعَنِي وَاحِدًا مِنْهُمَا، قَذَفْتُهُ فِي النَّارِ**».

4091 ـ حدّثنا أحْمَدُ بنُ يُونُسَ: حدَّثنا أبُو بَكْرٍ ـ يَعْنِي ابنَ عَيَّاشٍ ـ، عن الأعْمَشِ، عنْ إبْرَاهِيمَ، عَنْ عَلْقَمَةَ، عنْ عَبْدِ اللَّهِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَدْخُلُ الْجَنَّةَ مَنْ كَانَ فِي قَلْبِهِ مِثْقَالُ حَبَّةٍ مِنْ خَرْدَلٍ مِن كِبْرٍ، وَلاَ يَدْخُلُ النَّارَ مَنْ كَانَ فِي قَلْبِهِ مِثْقَالَ خَرْدَلَةٍ مِنْ إيمَانٍ**».

قال أبُو دَاوُدَ: رَوَاهُ الْقَسْمَلِيُّ، عن الأعْمَشِ مِثْلَهُ.

4092 ـ حدّثنا مُحَمَّدُ بنُ الْمُثَنَّى أبُو مُوسَى: حدَّثنا عَبْدُ الْوَهَّابِ: حدَّثنا هِشَامٌ، عنْ مُحَمَّدٍ، عن أبِي هُرَيْرَةَ: أنَّ رَجُلاً أتَى النَّبِيَّ ﷺ، وَكَانَ رَجُلاً جَمِيلاً؛ فَقَالَ: يَا رَسُولَ اللَّهِ إنِّي رَجُلٌ حُبِّبَ إلَيَّ الْجَمَالُ، وَأُعْطِيتُ مِنْهُ مَا تَرَى، حَتَّى مَا أُحِبُّ أنْ يَفُوقَنِي أحَدٌ. إمَّا قالَ: بِشِرَاكِ نَعْلِي، وَإمَّا قالَ: بِشِسْعِ نَعْلِي، أفَمِنَ الْكِبْرِ ذَلِكَ؟ قالَ: «**لاَ، وَلَكِنَّ الْكِبْرَ مَنْ بَطِرَ الْحَقَّ، وَغَمِطَ النَّاسَ**».

[ت29/م27] ـ بابٌ في قَدْرِ مَوْضِعِ الإزَارِ

4093 ـ حدّثنا حَفْصُ بنُ عُمَرَ: حدَّثنا شُعْبَةُ، عن الْعَلاَءِ بنِ عَبْدِ الرَّحْمَنِ، عنْ أبِيهِ قالَ: سَألْتُ أبَا سَعِيدٍ الْخُدْرِيَّ عن الإزَارِ، فَقَالَ: عَلَى الْخَبِيرِ سَقَطْتَ، قالَ رَسُولُ اللَّهِ ﷺ: «**أُزْرَةُ الْمُسْلِمِ إلَى نِصْفِ السَّاقِ، وَلاَ حَرَجَ ـ أوْ، لاَ جُنَاحَ ـ فِيمَا بَيْنَهُ وَبَيْنَ الْكَعْبَيْنِ. مَا كَانَ أسْفَلَ مِنَ الْكَعْبَيْنِ، فَهُوَ فِي النَّارِ. مَنْ جَرَّ إزَارَهُ بَطَرًا، لَمْ يَنْظُرِ اللَّهُ إلَيْهِ**».

4094 ـ حدّثنا هَنَّادُ بنُ السَّرِيِّ: حدَّثنا حُسَيْنٌ الْجُعْفِيُّ، عنْ عَبْدِ الْعَزِيزِ بنِ أبِي رَوَّادٍ، عنْ سَالِمِ بنِ عَبْدِ اللَّهِ، عَنْ أبِيهِ، عَنِ النَّبِيِّ ﷺ قالَ: «**الإسْبَالُ فِي الإزَارِ وَالْقَمِيصِ وَالْعِمَامَةِ. مَنْ جَرَّ مِنْهَا شَيْئًا خُيَلاَءَ، لَمْ يَنْظُرِ اللَّهُ إلَيْهِ يَوْمَ الْقِيَامَةِ**».

4095 ـ حدّثنا هَنَّادٌ: حدَّثنا ابنُ الْمُبَارَكِ، عنْ أبِي الصَّبَّاحِ، عنْ يَزِيدَ بنِ أبِي

pertaining to (the commandment of hanging down) the lower garment applies also to the shirt (as far as its sleeves are concerned).

4096- It is narrated on the authority of Ikrimah that he saw Ibn Abbas wearing a lower garment, hanging down the front portion of its lower border on the back of his feet, and raising its back (up to half the shanks). He asked him: "Why are you wearing the lower garment in such a way?" he said: "No doubt, I saw the Messenger of Allah "Allah's blessing and peace be upon him" having put on his lower garment in this very way

[30] What About The Way Of Women's Dressing?

4097- It is narrated on the authority of Ibn Abbas that the Messenger of Allah "Allah's blessing and peace be upon him" sent his curses upon such of women as imitate men (in their way of dressing), as well as upon such of men as imitate women (in their way of dressing).

4098- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" cursed such of men as gets himself dressed like the dressing of the woman, and such of women as gets herself dressed like the dressing of the man.

4099- It is narrated on the authority of Ibn Abu Mulaikah that he said: It was said to A'ishah: "There is a woman who puts on sandals (like those of men)." On that she said: "The Messenger of Allah "Allah's blessing and peace be upon him" cursed such of women as copies the way of dressing and appearance of men."

[31] Allah's Statement: "They Should Cast Their Outer Garments Over Their Persons (When Abroad)"

4100- It is narrated on the authority of A'ishah that she mentioned the Ansari women, praised them, and spoke good about them. Then, she said: "When the Surah of An-Nur was revealed, we took hold of our sheets, and tore them into pieces acting as veils."

4101- It is narrated on the authority of Umm Salamah that she said: When the following statement was revealed: "they should cast their outer garments over their persons (when abroad)", the Ansari women came out (with their veils as black) as there were crows over their heads, on account of the covers of their heads and faces."

[32] "They Should Draw Their Veils Over Their Bosoms"

4102- It is narrated on the authority of A'ishah that she said: Allah's Mercy be upon the earlier female Muhajirs: When Allah Almighty

سُمَيَّةَ، قال: سَمِعْتُ ابنَ عُمَرَ يَقولُ: «مَا قَالَ رَسُولُ اللَّهِ ﷺ فِي الإِزَارِ، فَهُوَ فِي الْقَمِيصِ».

4096 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن مُحَمَّدِ بنِ أَبِي يَحْيَى، قالَ: حدَّثني عِكْرِمَةُ: «أَنَّهُ رَأَى ابنَ عَبَّاسٍ يَأْتَزِرُ، فَيَضَعُ حَاشِيَةَ إِزَارِهِ مِنْ مُقَدَّمِهِ عَلَى ظَهْرِ قَدَمَيْهِ، وَيَرْفَعُ مِنْ مُؤَخَّرِهِ. قُلْتُ: لِمَ تَأْتَزِرُ هَذِهِ الإِزْرَةَ؟ قالَ: رَأَيْتُ رَسُولَ اللَّهِ ﷺ يَأْتَزِرُهَا».

[ت30/م28] ـ بابٌ لِباسِ النِّساءِ

4097 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ مُعَاذٍ: حدَّثنا أَبِي، حدثنا شُعْبَةُ، عن قَتَادَةَ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ، عن النَّبِيِّ ﷺ: «أَنَّهُ لَعَنَ الْمُتَشَبِّهَاتِ مِنَ النِّسَاءِ بالرِّجَالِ، وَالْمُتَشَبِّهِينَ مِنَ الرِّجَالِ بالنِّسَاءِ».

4098 ـ حدّثنا زُهَيْرُ بنُ حَرْبٍ: حدَّثنا أَبُو عَامِرٍ، عن سُلَيْمَانَ بنِ بِلَالٍ، عن سُهَيْلٍ، عن أَبِيهِ، عن أَبِي هُرَيْرَةَ قالَ: «لَعَنَ رَسُولُ اللَّهِ ﷺ الرَّجُلَ يَلْبَسُ لِبْسَةَ الْمَرْأَةِ، وَالْمَرْأَةَ تَلْبَسُ لِبْسَةَ الرَّجُلِ».

4099 ـ حدّثنا مُحَمَّدُ بنُ سُلَيْمَانَ لُوَيْنٌ وَبَعْضُهُ قِرَاءَةً عَلَيْهِ، عن سُفْيَانَ، عن ابنِ جُرَيْجٍ، عن ابنِ أَبِي مُلَيْكَةَ قال: «قِيلَ لِعَائِشَةَ: إِنَّ امْرَأَةً تَلْبَسُ النَّعْلَ، فَقَالَتْ: لَعَنَ رَسُولُ اللَّهِ ﷺ الرَّجُلَةَ مِنَ النِّسَاءِ».

[ت31/م29] ـ بابٌ في قوله تعالى: ﴿يُدْنِينَ عَلَيْهِنَّ مِن جَلَٰبِيبِهِنَّ﴾ [الأحزاب: 59]

4100 ـ حدّثنا أَبُو كَامِلٍ: حدَّثنا أَبُو عَوَانَةَ، عن إِبْرَاهِيمَ بنِ مُهَاجِرٍ، عن صَفِيَّةَ بِنْتِ شَيْبَةَ، عن عَائِشَةَ: «أَنَّهَا ذَكَرَتْ نِسَاءَ الأَنْصَارِ، فَأَثْنَتْ عَلَيْهِنَّ، وَقَالَتْ لَهُنَّ مَعْرُوفًا، وَقَالَتْ: لَمَّا نَزَلَتْ سُورَةُ النُّورِ، عَمِدْنَ إِلَى حُجُورٍ أَوْ حُجُوزٍ ـ شَكَّ أَبُو كَامِلٍ ـ، فَشَقَقْنَهُنَّ فَاتَّخَذْنَهُ خُمُرًا».

4101 ـ حدّثنا مُحَمَّدُ بنُ عُبَيْدٍ: حدَّثنا ابنُ ثَوْرٍ، عن مَعْمَرٍ، عن ابنِ خُثَيْمٍ، عن صَفِيَّةَ بِنْتِ شَيْبَةَ، عن أُمِّ سَلَمَةَ قَالَتْ: «لَمَّا نَزَلَتْ: ﴿يُدْنِينَ عَلَيْهِنَّ مِن جَلَٰبِيبِهِنَّ﴾ [الأحزاب: 59]، خَرَجَ نِسَاءُ الأَنْصَارِ كَأَنَّ عَلَى رُؤُوسِهِنَّ الْغِرْبَانَ مِنَ الأَكْسِيَةِ».

[ت32/م30] ـ بابٌ في قوله: ﴿وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَىٰ جُيُوبِهِنَّ﴾ [النور: 31]

4102 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ. (ح): وحدَّثنا سُلَيْمَانُ بنُ دَاوُدَ الْمَهْرِيُّ وَابنُ السَّرْحِ وَأَحْمَدُ بنُ سَعِيدٍ الْهَمْدَانِيُّ قالُوا: أخبرنا ابنُ وَهْبٍ: أخبرني قُرَّةُ بنُ عَبْدِ الرَّحْمَنِ المَعَافِرِيُّ، عن ابنِ شِهَابٍ، عن عُرْوَةَ بنِ الزُّبَيْرِ، عن عَائِشَةَ أَنَّهَا قَالَتْ:

revealed: “they should draw their veils over their bosoms”, they tore the thickest (and most fitting for covering) among their sheets into pieces therewith they got themselves veiled.

4103- The same is narrated on the authority of Ibn Shihab, through the same chain of transmission.

[33] Which Ornaments And Beauty Could A Woman Display?

4104- It is narrated on the authority of A’ishah that Asma’ Bint Abu Bakr visited the Messenger of Allah "Allah's blessing and peace be upon him", and she was wearing thin dresses (through which the appealing parts of her body were visible), thereupon the Messenger of Allah "Allah's blessing and peace be upon him" turned his sight away from her and said: “O Asma’! when a girl attains (the age of puberty and gets) menses, it becomes unfitting for her that anything of her body should be visible except this and this.” He beckoned to both face and hands.

Abu Dawud says: This narration is Mursal, for Khalid Ibn Duraik did not catch up with A’ishah.

[34] Is It Permissible For A Slave To Look At The Hair Of His Female Owner?

4105- It is narrated on the authority of Jabir that Umm Salamah asked the permission of the Messenger of Allah "Allah's blessing and peace be upon him" to get herself cupped, and he told Abu Taibah to cup her. I think he said that he was her foster-brother, or he had not yet attained the age of puberty.

4106- It is narrated on the authority of Anas, that once, the Messenger of Allah "Allah's blessing and peace be upon him" brought to Fatimah a male-slave as a gift, and at that time, Fatimah was wearing a garment, too short to cover her legs if she veiled her head therewith, nor to cover her head if she covered her legs with it. When the Messenger of Allah "Allah's blessing and peace be upon him" saw which trouble she was put to, he said: “There is no blame on you, since there is no (man to feel shy of) but your father and male-slave.”

[35] Allah’s Statement “Or Male Servants Free Of Sexual Needs”

4107- It is narrated on the authority of A'ishah that she said: An effeminate one used to enter upon the wives of The Messenger of Allah "Allah's blessing and peace be upon him", who considered him to be a male free from any sexual desire. Once, The Messenger of Allah "Allah's blessing and peace be upon him" came in upon us, while he was sitting in

«يَرْحَمُ اللَّهُ نِسَاءَ الْمُهَاجِرَاتِ الأُوَلَ، لَمَّا أَنْزَلَ اللَّهُ: ﴿وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَىٰ جُيُوبِهِنَّ﴾ [النور: 31]، شَقَقْنَ أَكْنفَ ـ قالَ ابنُ صَالِحٍ: «أَكْثَفَ ـ مُرُوطِهِنَّ، فاخْتَمَرْنَ بِهَا».

4103 ـ حدّثنا ابنُ السَّرْحِ، قال: رَأَيْتُ فِي كِتَابِ خَالِي: عَنْ عُقيلٍ، عن ابْنِ شِهَابٍ بِإِسْنَادِهِ وَمَعْنَاهُ.

[ت33/م31] ـ بابٌ فيما تُبْدِي المَرْأَةُ مِنْ زِينَتها

4104 ـ حدّثنا يَعْقُوبُ بنُ كَعْبٍ الأَنْطَاكِيُّ وَمُؤَمَّلُ بنُ الْفَضْلِ الْحَرَّانِيُّ، قالاَ: حدَّثنا الْوَلِيدُ، عن سَعِيدِ بنِ بَشِيرٍ، عن قَتَادَةَ، عن خَالِدٍ ـ قالَ يَعْقُوبُ: ابْنِ دُرَيْكٍ ـ عن عَائِشَةَ: أَنَّ أَسْمَاءَ بِنْتَ أَبِي بَكْرٍ دَخلَتْ عَلَى رَسُولِ اللَّهِ ﷺ وَعَلَيْهَا ثِيَابٌ رِقَاقٌ، فَأَعْرَضَ عَنْهَا رَسُولُ اللَّهِ ﷺ، وَقَالَ: «**يَا أَسْمَاءُ، إِنَّ الْمَرْأَةَ إِذَا بَلَغَتِ الْمَحِيضَ، لَمْ تَصْلُحْ لَهَا أَنْ يُرَى مِنْهَا إِلاَّ هَذَا وَهَذَا**»، وَأَشَارَ إِلَى وَجْهِهِ وَكَفَّيْهِ.

قال أَبُو دَاوُدَ: هَذَا مُرْسَلٌ، خَالِدُ بنُ دُرَيْكٍ لَمْ يُدْرِكْ عَائِشَةَ، وسعِيدُ بن بشيرٍ ليس بالقَويِّ.

[ت34/م32] ـ بابٌ في العَبْدِ يَنْظُرُ إلى شَعَرِ مَوْلاتِه

4105 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ وَابنُ مَوْهَبٍ، قالاَ: حدَّثنا اللَّيْثُ، عن أَبِي الزُّبَيْرِ، عن جَابِرٍ: «أَنَّ أُمَّ سَلَمَةَ اسْتَأْذَنَتْ رَسُولَ اللَّهِ ﷺ فِي الْحِجَامَةِ، فَأَمَرَ أَبَا طَيْبَةَ أَنْ يَحْجُمَهَا. قالَ: حَسِبْتُ أَنَّهُ قَالَ: كَانَ أَخَاهَا مِنَ الرَّضَاعَةِ، أَوْ غُلاَمًا لَمْ يَحْتَلِمْ».

4106 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى: حدَّثنا أَبُو جُمَيْعٍ سَالِمُ بنُ دِينَارٍ، عن ثَابِتٍ، عن أَنَسٍ: أَنَّ النَّبِيَّ ﷺ أَتَى فَاطِمَةَ بِعَبْدٍ قَدْ وَهَبَهُ لَهَا. قالَ: وَعَلَى فَاطِمَةَ ثَوْبٌ إِذَا قَنَّعَتْ بِهِ رَأْسَهَا، لَمْ يَبْلُغْ رِجلَيْهَا. وَإِذَا غَطَّتْ بِهِ رِجلَيْهَا، لَمْ يَبْلُغْ رَأْسَهَا. فَلَمَّا رَأَى النَّبِيُّ ﷺ مَا تَلْقَى، قال: «**إِنَّهُ لَيْسَ عَلَيْكِ بَأْسٌ، إِنَّمَا هُوَ أَبُوكِ وَغُلاَمُكِ**».

[ت35/م33] ـ بابٌ في قوله: ﴿غَيْرِ أُولِي الْإِرْبَةِ﴾ [النور: 31]

4107 ـ حدّثنا مُحَمَّدُ بنُ عُبَيْدٍ: حدَّثنا مُحَمَّدُ بنُ ثَوْرٍ، عن مَعْمَرٍ، عن الزُّهْرِيِّ وَهِشَامِ بنِ عُرْوَةَ، عن عُرْوَةَ، عن عَائِشَةَ قالَتْ: «كَانَ يَدْخُلُ عَلَى أَزْوَاجِ النَّبِيِّ ﷺ مُخَنَّثٌ، فَكَانُوا يَعُدُّونَهُ مِنْ غَيْرِ أُولِي الإِرْبَةِ. فَدَخلَ عَلَيْنَا النَّبِيُّ ﷺ يَوْمًا

the house of one of his wives, describing the body of a certain woman, and saying: “as (she is so beautiful and fat that) she shows four folds of flesh while facing you, and eight when she turns her back." The Messenger of Allah "Allah's blessing and peace be upon him" said: “I see that he knows these things (of sexual desires), do not allow him to enter upon you (O women).” She (A'ishah) said: Then they screened themselves from him.

4108- The same is narrated on the authority of Az-Zuhri from Urwah from A’ishah, through the same chain of transmission.

4109- The same is narrated on the authority of Az-Zuhri from Urwah from A’ishah, with the following addition: and he sent him to live in the desert, and he used to come once per week in order to be given food.

4110- The same story is narrated on the authority of Al-Awza’i, in which they said to the Messenger of Allah "Allah's blessing and peace be upon him": “O Messenger of Allah! He might then be vulnerable to death because of hunger.” On that the Messenger of Allah "Allah's blessing and peace be upon him" gave him permission to be admitted to ask for his needs twice (per week), and then he should return.

[36] Allah’s Statement “And Say To The Believing Women That They Should Lower Their Gaze And Guard Their Modesty”

4111- It is narrated on the authority of Ibn Abbas that he said: (The commandment implied in Allah’s saying) “And say to the believing women that they should lower their gaze and guard their modesty” was partially abrogated, by the exception made for “Such elderly women as are past the prospect of marriage, there is no blame on them if they lay aside their (outer) garments, provided they make not a wanton display of their beauty.”

4112- It is narrated on the authority of Umm Salamah that once, she was in the house of the Messenger of Allah "Allah's blessing and peace be upon him", and Maimunah was with him, when Abdullah Ibn Umm Maktum came to visit him, after women had been commanded to observe veiling. The Messenger of Allah "Allah's blessing and peace be upon him" said: “Screen yourselves from him!” I said: “O Messenger of Allah! Is he not a blind who could neither see nor recognize us?” he said: “But, are you blind yourselves (so that you will not be able to see him)? Do you not see him?”

Abu Dawud says: This commands seems to be particular to the wives of the Messenger of Allah "Allah's blessing and peace be upon him" apart from all the women: do you not see how Fatimah Bint Qais spent the prescribed term of her Iddat in the house of Umm Maktum? the Messenger

وَهُوَ عِنْدَ بَعْضِ نِسَائِهِ، وَهُوَ يَنْعَتُ امْرأَةً، فقالَ: إِنَّهَا إِذَا أَقْبَلَتْ أَقْبَلَتْ بِأَرْبَعٍ، وَإِذَا أَدْبَرَتْ أَدْبَرَتْ بِثَمَانٍ، فقالَ النَّبِيُّ ﷺ: «**أَلاَ أَرَى هَذَا يَعْلَمُ مَا هٰهُنَا، لاَ يَدْخُلَنَّ عَلَيْكُنَّ هَذَا**»، فَحَجَبُوهُ».

4108 ـ حدّثنا مُحَمَّدُ بنُ دَاوُدَ بنِ سُفْيَانَ: حدَّثنا عَبْدُ الرَّزَّاقِ: أخبرنا مَعْمَرٌ، عن الزُّهْرِيِّ، عن عُرْوَةَ، عن عَائِشَةَ، بِمَعْنَاهُ.

4109 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ: أخبرني يُونُسُ، عن ابنِ شِهَابٍ، عن عُرْوَةَ، عن عَائِشَةَ بِهَذَا الْحَدِيثِ. زَادَ: «وَأَخْرَجَهُ فَكَانَ بِالْبَيْدَاءِ، يَدْخُلُ كُلَّ جُمُعَةٍ يَسْتَطْعِمُ».

4110 ـ حدّثنا مَحْمُودُ بنُ خَالِدٍ: حدَّثنا عُمَرُ، عن الأَوْزَاعِيِّ فِي هَذِهِ الْقِصَّةِ: «فَقِيلَ: يَا رَسُولَ اللَّهِ، إِنَّهُ إِذَنْ يَمُوتُ مِنَ الْجُوعِ، فَأَذِنَ لَهُ أَنْ يَدْخُلَ فِي كُلِّ جُمُعَةٍ مَرَّتَيْنِ، فَيَسْأَلَ ثُمَّ يَرْجِعَ».

[ت36/م34] ـ بابٌ في قوله عزَّ وَجلَّ:
﴿وَقُل لِّلْمُؤْمِنَٰتِ يَغْضُضْنَ مِنْ أَبْصَٰرِهِنَّ﴾ [النور: 31]

4111 ـ حدّثنا أَحْمَدُ بنُ مُحَمَّدٍ الْمَرْوَزِيُّ: حدَّثنا عَلِيُّ بنُ الْحُسَيْنِ بنِ وَاقِدٍ، عن أَبِيهِ، عن يَزِيدَ النَّحْوِيِّ، عن عِكْرِمَةَ، عن ابنِ عَبَّاسٍ: ﴿وَقُل لِّلْمُؤْمِنَٰتِ يَغْضُضْنَ مِنْ أَبْصَٰرِهِنَّ﴾ الآيَةَ، فَنُسِخَ وَاسْتُثْنِيَ مِنْ ذَلِكَ ﴿وَٱلْقَوَٰعِدُ مِنَ ٱلنِّسَآءِ ٱلَّٰتِى لَا يَرْجُونَ نِكَاحًا﴾ [النور: 60] الآيَةَ.

4112 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ: حدَّثنا ابنُ الْمُبَارَكِ، عن يُونُسَ، عن الزُّهْرِيِّ قالَ: حدَّثني نَبْهَانُ مَوْلَى أُمِّ سَلَمَةَ، عن أُمِّ سَلَمَةَ، قالَتْ: كُنْتُ عِنْدَ النَّبِيِّ ﷺ وَعِنْدَهُ مَيْمُونَةُ، فَأَقْبَلَ ابنُ أُمِّ مَكْتُومٍ، وَذَلِكَ بَعْدَ أَنْ أُمِرْنَا بالْحِجَابِ، فَدَخَلَ علينا، فقالَ النَّبِيُّ ﷺ: «**احْتَجِبَا مِنْهُ**»، فَقُلْنَا: يَا رَسُولَ اللَّهِ، أَلَيْسَ أَعْمَى لاَ يُبْصِرُنَا، وَلاَ يَعْرِفُنَا؟ فقال النَّبِيُّ ﷺ: «**أَفَعَمْيَاوَانِ أَنْتُمَا؟ أَلَسْتُمَا تُبْصِرَانِهِ؟**».

قال أَبُو دَاوُدَ: هَذَا لأَزْوَاجِ النَّبِيِّ ﷺ خَاصَّةً، أَلاَ تَرَى إِلَى اعْتِدَادِ فَاطِمَةَ

of Allah "Allah's blessing and peace be upon him" said to Fatimah Bint Qais: “Spend the prescribed term of your Iddat in the house of Umm Maktum, for he is a blind man, and in whose house, you could put off your dress (and he is not able to see you).”

4113- It is narrated on the authority of Amr Ibn Shu’aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “When anyone of you gives his female-slave in marriage to his male-slave, let not him then look at her privates (since she becomes unlawful for him like a sister or a daughter.”

4114- It is narrated on the authority of Amr Ibn Shu’aib from his father from his grandfather that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “If anyone of you marries his servant-maid to any of his slaves or employees, let not him look at what is below her umbilicus and up her knees (since her privates become unlawful for him in the same way as are the privates of a sister or a daughter unlawful for her brother or father).”

[37] What About Veiling?

4115- It is narrated on the authority of Umm Salamah that the Messenger of Allah "Allah's blessing and peace be upon him" entered upon her while she was getting herself veiled, thereupon he said to her: “Let it be twisted once not twice!”

Abu Dawud says: He means that she should not wear it in the same way as a man puts on his turban.

[38] What About The Coptic Dresses For Women?

4116- It is narrated on the authority of Dihyah Ibn Khalifah Al-Kalbi that he said: Many Coptic dresses were brought to the Messenger of Allah "Allah's blessing and peace be upon him", who gave me one and said: “Divide it into two halves: make one as a shirt for you, and give the other to your wife to use as a veil.” When he (Dihyah) turned his back, he said: “And tell your wife to put on a dress underneath it, which should not show (the colour of) her face.”

[39] The Length Of The Tail

4117- It is narrated on the authority of Umm Salamah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", that when The Messenger of Allah "Allah's blessing and peace be upon him" mentioned the desirable length of the lower garment, she said: “How long is the tail of (the garment of) a woman to drag (on the ground)?” he said: “No

بِنْتِ قَيْسٍ عِنْدَ ابنِ أُمِّ مَكْتُوم، قَدْ قَالَ النَّبيُّ ﷺ لِفَاطِمَةَ بِنْتِ قَيْسٍ: «**اعْتَدِّي عِنْدَ ابنِ أُمِّ مَكْتُومٍ، فَإِنَّهُ رَجُلٌ أَعْمَى تَضَعِينَ ثِيَابَكِ عِنْدَهُ**».

4113 ـ حدّثنا مُحَمَّدُ بنُ عَبْدِ اللَّهِ بنِ الْمَيْمُونِ: حدَّثنا الْوَلِيدُ: حدَّثنا الأَوْزَاعِيُّ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ، عن النَّبِيِّ ﷺ قالَ: «**إِذَا زَوَّجَ أَحَدُكُمْ عَبْدَهُ أَمَتَهُ، فَلاَ يَنْظُرْ إِلَى عَوْرَتِهَا**».

4114 ـ حدّثنا زُهَيْرُ بنُ حَرْبٍ: حدثنا وَكِيعٌ: حدَّثني دَاوُدُ بنُ سَوَّارٍ الْمُزَنِيُّ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ، عن النَّبِيِّ ﷺ قالَ: «**إِذَا زَوَّجَ أَحَدُكُمْ خَادِمَهُ عَبْدَهُ أَوْ أَجِيرَهُ، فَلاَ يَنْظُرْ إِلَى مَا دُونَ السُّرَّةِ وَفَوْقَ الرُّكْبَةِ**».

قال أَبُو دَاوُدَ: وَصَوَابُهُ سَوَّارُ بنُ دَاوُدَ الْمُزَنِيُّ الصَّيْرَفِيُّ، وَهِمَ فِيهِ وَكِيعٌ.

[ت37/ م35] ـ بابٌ في الاخْتِمَارِ

4115 ـ حدّثنا زُهَيْرُ بنُ حَرْبٍ: حدَّثنا عَبْدُ الرَّحمَنِ. (ح): وحدَّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن سُفْيَانَ، عن حَبِيبِ بنِ أَبِي ثَابِتٍ، عن وَهْبٍ مَوْلَى أَبِي أَحْمَدَ، عن أُمِّ سَلَمَةَ: أَنَّ النَّبِيَّ ﷺ دَخلَ عَلَيْهَا وَهِيَ تَخْتَمِرُ، فقالَ: «**لَيَّةً لاَ لَيَّتَيْنِ**».

قال أَبُو دَاوُدَ: مَعْنَى قَوْلِهِ: «**لَيَّةً لاَ لَيَّتَيْنِ**» يَقُولُ: لاَ تَعْتَمَّ مِثْلَ الرَّجُلِ، لاَ تُكَرِّرْهُ طَاقًا أَوْ طَاقَيْنِ.

[ت38/ م36] ـ بابٌ في لُبْسِ القَبَاطِيِّ للنِّساءِ

4116 ـ حدّثنا أَحْمَدُ بنُ عَمْرِو بنِ السَّرْحِ وَأَحْمَدُ بنُ سَعِيدٍ الْهَمْدَانِيُّ، قالاَ: حدَّثنا ابنُ وَهْبٍ: حدَّثنا ابنُ لَهِيعَةَ، عن مُوسَى بنِ جُبَيْرٍ: أَنَّ عُبَيْدَ اللَّهِ بنَ عَبَّاسٍ حَدَّثَهُ، عن خَالِدِ بنِ يَزِيدَ بنِ مُعَاوِيَةَ، عن دِحْيَةَ بنِ خَلِيفَةَ الْكَلْبِيِّ أَنَّهُ قَالَ: أُتِيَ رَسُولُ اللَّهِ ﷺ بِقَبَاطِيَّ، فَأَعْطَانِي مِنْهَا قُبْطِيَّةً، فَقَالَ: «**اصْدَعْهَا صدْعَيْنِ، فَاقْطَعْ أَحَدَهُمَا قَمِيصًا، وَأَعْطِ الآخَرَ امْرَأَتَكَ تَخْتَمِرْ بِهِ**». فَلَمَّا أَدْبَرَ، قالَ: «**وَأْمُرِ امْرَأَتَكَ أَنْ تَجْعَلَ تَحْتَهُ ثَوْبًا لاَ يَصِفُهَا**».

قال أَبُو دَاوُدَ: رَوَاهُ يَحْيَى بنُ أَيُّوبَ، فَقَالَ: عَبَّاسُ بنُ عُبَيْدِ اللَّهِ بنِ عَبَّاسٍ.

[ت39/ م37] ـ بابٌ في قَدْرِ الذَّيلِ

4117 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عن أَبِي بَكْرِ بنِ نَافِعٍ، عن أَبِيهِ، عن صَفِيَّةَ بِنْتِ أَبِي عُبَيْدٍ: أَنَّهَا أَخْبَرَتْهُ: أَنَّ أُمَّ سَلَمَةَ زَوْجَ النَّبِيِّ ﷺ قَالَتْ لِرَسُولِ اللَّهِ ﷺ حِينَ ذَكَرَ الإِزَارَ: فَالْمَرْأَةُ يَا رَسُولَ اللَّهِ؟ قالَ: «**تُرْخِي شِبْرًا**»، قَالَتْ

more than a span." I said: "But, it might (be lifted with the help of the air and) uncover her (legs)." On that he said: "Then, let it be as long as a cubit, and no more."

4118- The same is narrated on the authority of Umm Salamah from the Messenger of Allah "Allah's blessing and peace be upon him", through the same chain of transmission.

4119- It is narrated on the authority of Ibn Umar that the wives of the Messenger of Allah "Allah's blessing and peace be upon him" were given concession to make the tail of their garments as long as a cubit, and when they asked him for more, he made an increase of a further span; and they used to come to us, so that we would measure a cubit for them with the help of pipes.

[40] What About The Hide Of The Dead Animals?

4120- It is narrated on the authority of Ibn Abbas from Maimunah that once, a sheep was given in charity to a slave-girl of Maimunah, and it died. The Messenger of Allah "Allah's blessing and peace be upon him" came upon it and then he said: "Why have you not taken its hide, tanned it, and made use of it?" it was said: "O Messenger of Allah! It is dead." He said: "It is eating its flesh which has been forbidden."

4121- The same is narrated on the authority of Az-Zuhri, but no mention is made of Maimunah, nor of tanning the hide before making use of it.

4122- It is narrated on the authority of Az-Zuhri that he denied the necessity of tanning, and said: It might be utilized in whichever state it is.

4123- It is narrated on the authority of Ibn Abbas that he said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "When the hide (of the dead animal) is tanned, it has become pure."

4124- It is narrated on the authority of A'ishah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", that the Messenger of Allah "Allah's blessing and peace be upon him" ordered to get benefit from the hide of the dead animals whenever it was tanned.

4125- It is narrated on the authority of Salamah Ibn Al-Muhabbiq that during the holy battle of Tabuk, the Messenger of Allah "Allah's blessing and peace be upon him" came upon a house having a water-skin hung on its wall. He asked for water, thereupon it was said to him: "O Messenger of Allah! It (the water-skin is made of the hide of) a dead animal." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Tanning gets it purified."

أُمَّ سَلَمَةَ: إِذًا يَنْكَشِفُ عَنهَا. قالَ: «**فَذِرَاعًا لاَ تَزِيدُ عَلَيْهِ**».

4118 ـ حدّثنا إِبْرَاهِيمُ بنُ مُوسَى: حدَّثنا عِيسَى، عن عُبَيْدِ اللَّهِ، عن نَافِعٍ، عن سُلَيْمَانَ بنِ يَسَارٍ، عن أُمِّ سَلَمَةَ، عَنِ النَّبِيِّ ﷺ بِهَذَا الْحَدِيثِ.

قال أَبُو دَاوُدَ: رَوَاهُ ابنُ إِسْحَاقَ، وأَيُّوبُ بنُ مُوسَى عن نَافِعٍ، عن صَفِيَّةَ.

4119 ـ حدّثنا مُسَدَّدٌ، حدثنا يَحْيَى بنُ سَعِيدٍ، عن سُفْيَانَ: أَخْبَرَنِي زَيْدٌ العَمِّيُّ، عن أَبِي الصِّدِّيقِ النَّاجِيِّ، عن ابنِ عُمَرَ قال: «رَخَّصَ رَسُولُ اللَّهِ ﷺ لأُمَّهَاتِ المُؤْمِنِينَ فِي الذَّيْلِ شِبْرًا، ثُمَّ اسْتَزَدْنَهُ فَزَادَهُنَّ شِبْرًا، فَكُنَّ يُرْسِلْنَ إِلَيْنَا، فَنَذْرَعُ لَهُنَّ ذِرَاعًا».

[ت40/م38] ـ باب في أُهُب الْمَيْتَةِ

4120 ـ حدّثنا مُسَدَّدٌ، وَوَهْبُ بنُ بَيَانٍ وَعُثْمَانُ بنُ أَبِي شَيْبَةَ وَابْنُ أَبِي خَلَفٍ قَالُوا: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، عن عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ، عن ابْنِ عَبَّاسٍ. قالَ مُسَدَّدٌ وَوَهْبٌ: عن مَيْمُونَةَ قَالَتْ: أُهْدِيَ لِمَوْلاَةٍ لَنَا شَاةٌ مِنَ الصَّدَقَةِ، فَمَاتَتْ، فَمَرَّ بِهَا النَّبِيُّ ﷺ، فَقَالَ: «**أَلاَ دَبَغْتُمْ إِهَابَهَا، وَاسْتَمْتَعْتُمْ بِهِ!**»، قَالُوا: يَا رَسُولَ اللَّهِ، إِنَّهَا مَيْتَةٌ، قالَ: «**إِنَّمَا حُرِّمَ أَكْلُهَا**».

4121 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَزِيدُ: حدَّثنا مَعْمَرٌ، عن الزُّهْرِيِّ بِهَذَا الْحَدِيثِ، لَمْ يَذْكُرْ مَيْمُونَةَ. قال: فَقَالَ: «**أَلاَ انْتَفَعْتُمْ بِإِهَابِهَا!**» ثُمَّ ذَكَرَ مَعْنَاهُ، لَمْ يَذْكُرِ الدِّبَاغَ.

4122 ـ حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَارِسٍ: حدَّثنا عَبْدُ الرَّزَّاقِ قالَ: قالَ مَعْمَرٌ: وَكَانَ الزُّهْرِيُّ يُنْكِرُ الدِّبَاغَ، وَيَقُولُ: يُسْتَمْتَعُ بِهِ عَلَى كُلِّ حَالٍ.

قال أَبُو دَاوُدَ: لَمْ يَذْكُرِ الأَوْزَاعِيُّ، وَيُونُسُ، وَعُقَيْلٌ فِي حَدِيثِ الزُّهْرِيِّ الدِّبَاغَ.

وَذَكَرَهُ الزُّبَيْدِيُّ، وَسَعِيدُ بنُ عَبْدِ الْعَزِيزِ، وَحَفْصُ بنُ الْوَلِيدِ ذَكَرُوا الدِّبَاغَ.

4123 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: حدَّثنا سُفْيَانُ، عن زَيْدِ بنِ أَسْلَمَ، عن عَبْدِ الرَّحْمَنِ بنِ وَعْلَةَ، عن ابنِ عَبَّاسٍ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**إِذَا دُبِغَ الإِهَابُ، فَقَدْ طَهُرَ**».

4124 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عَنْ مَالِكٍ، عن يَزِيدَ بنِ عَبْدَ اللَّهِ بنِ قُسَيْطٍ، عن مُحَمَّدِ بنِ عَبْدِ الرَّحْمَنِ بنِ ثَوْبَانَ، عَنْ أُمِّهِ، عَنْ عَائِشَةَ زَوْجِ النَّبِيِّ ﷺ: «أَنَّ رَسُولَ اللَّهِ ﷺ أَمَرَ أَنْ يُسْتَمْتَعَ بِجُلُودِ المَيْتَةِ إِذَا دُبِغَتْ».

4125 ـ حدّثنا حَفْصُ بنُ عُمَرَ وَمُوسَى بنُ إِسْمَاعِيلَ قالاَ: حدَّثنا هَمَّامٌ، عن قَتَادَةَ، عن الْحَسَنِ، عَنْ جَوْنِ بنِ قَتَادَةَ، عَنْ سَلَمَةَ بنِ المُحَبِّقِ: أَنَّ رَسُولَ اللَّهِ ﷺ فِي غَزْوَةِ تَبُوكَ أَتَى عَلَى بَيْتٍ، فَإِذَا قِرْبَةٌ مُعَلَّقَةٌ، فَسَأَلَ الْمَاءَ، فَقَالُوا: يَا رَسُولَ اللَّهِ إِنَّهَا مَيْتَةٌ، فَقَالَ: «**دِبَاغُهَا طُهُورُهَا**».

4126- It is narrated on the authority of Al-Aliyah Bint Subai that she said: I had a flock of sheep near (the mountain of) Uhud and they were given to death. I visited Maimunah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", and made a mention of that to her, thereupon she said: "Would that you take their hide, and get benefit of it." I asked: "Is it lawful?" she said: "Yes. Once, men from the Quraish came upon the Messenger of Allah "Allah's blessing and peace be upon him", and they were dragging a sheep belonging to them, like (the dragging of) a donkey. The Messenger of Allah "Allah's blessing and peace be upon him" said to them: "Would you that take its hide (and get benefit from it)!" they said: "It is dead." On that the Messenger of Allah "Allah's blessing and peace be upon him" said: "The water mixed with auburn would purify it."

[41] The Opinion That No Use Should Be Made Of The Hide Of The Dead Animal

4127- It is narrated on the authority of Abdullah Ibn Ukaim that he said: The document of the Messenger of Allah "Allah's blessing and peace be upon him" was recited to us in Juhainah, and I was still young, in which he said: "Nor should you get benefit from the hide or the bone-joints of the dead animals."

4128- It is narrated on the authority of Al-Hakam Ibn Utaibah that he went in the company of some people to Abdullah Ibn Ukaim, a man from Juhainah. He said: I stood near the gate, and they came in. they came out and told me that Abdullah Ibn Ukaim told them that the Messenger of Allah "Allah's blessing and peace be upon him" sent a letter to those of Juhainah, a month before his death, in which he said: "Nor should you get benefit from the hide or the bone-joints of the dead animals."

[42] What About The Skin Of The Tigers And Wild Animals?

4129- It is narrated on the authority of Mu'awiyah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Ride not on (the saddles made of) Khazz (the clothes of wool or hair mixed with silk) or the skin of tigers." Mu'awiyah is not suspicious in his narration from the Messenger of Allah "Allah's blessing and peace be upon him".

4130- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The angels never accompany a group (on journey) having with them the skin of a tiger."

4126 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ: أخبرني عَمْرٌو ـ يعني ابنَ الْحَارِثِ ـ، عنْ كَثِيرِ بنِ فَرْقَدٍ، عنْ عَبْدِ اللَّهِ بنِ مَالِكِ بنِ حُذَافَةَ حَدَّثَهُ، عنْ أُمِّهِ الْعَالِيَةِ بِنْتِ سُبَيْعٍ: أَنَّهَا قَالَتْ: كَانَ لِي غَنَمٌ بِأُحُدٍ، فَوَقَعَ فِيهَا الْمَوْتُ، فَدَخَلْتُ عَلَى مَيْمُونَةَ زَوْجِ النَّبِيِّ ﷺ، فَذَكَرْتُ ذَلِكَ لَهَا. فَقَالَتْ لِي مَيْمُونَةُ: لَوْ أَخَذْتِ جُلُودَهَا فَانْتَفَعْتِ بِهَا، فَقَالَتْ: أَوَيَحِلُّ ذَلِكَ؟ قَالَتْ: نَعَمْ. مَرَّ عَلَى رَسُولِ اللَّهِ ﷺ رِجَالٌ مِنْ قُرَيْشٍ يَجُرُّونَ شَاةً لَهُمْ مِثْلَ الْحِمَارِ، فَقَالَ لَهُمْ رَسُولُ اللَّهِ ﷺ: «**لَوْ أَخَذْتُمْ إِهَابَهَا!**». قَالُوا: إِنَّهَا مَيْتَةٌ؟ قَالَ رَسُولُ اللَّهِ ﷺ: «**يُطَهِّرُهَا الْمَاءُ وَالْقَرَظُ**».

[ت41/م39] ـ بابُ مَنْ رَوَى أَنْ يُنْتَفَعَ بِإِهَابِ الْمَيْتَةِ

4127 ـ حدّثنا حَفْصُ بنُ عُمَرَ: حدَّثنا شُعْبَةُ، عن الْحَكَمِ، عن عَبْدِ الرَّحْمَنِ بنِ أَبِي لَيْلَى، عن عَبْدِ اللَّهِ بنِ عُكَيْمٍ قالَ: قُرِىءَ عَلَيْنَا كِتَابُ رَسُولِ اللَّهِ ﷺ بِأَرْضِ جُهَيْنَةَ وَأَنَا غُلَامٌ شَابٌّ: «**أَنْ لاَ تَسْتَمْتِعُوا مِنَ الْمَيْتَةِ بِإِهَابٍ، وَلاَ عَصَبٍ**».

4128 ـ حدّثنا مُحَمَّدُ بنُ إِسْمَاعِيلَ مَوْلَى بَنِي هَاشِمٍ، قالَ: حدَّثنا الثَّقَفِيُّ، عن خَالِدٍ، عن الْحَكَمِ بنِ عُتَيْبَةَ: أَنَّهُ انْطَلَقَ هُوَ وَنَاسٌ مَعَهُ إِلَى عَبْدِ اللَّهِ بنِ عُكَيْمٍ ـ رَجُلٍ مِنْ جُهَيْنَةَ ـ قالَ الْحَكَمُ: فَدَخَلُوا وَقَعَدْتُ عَلَى الْبَابِ، فَخَرَجُوا إِلَيَّ، فَأَخْبَرُونِي: أَنَّ عَبْدَ اللَّهِ بنَ عُكَيْمٍ أَخْبَرَهُمْ: أَنَّ رَسُولَ اللَّهِ ﷺ كَتَبَ إِلَى جُهَيْنَةَ قَبْلَ مَوْتِهِ بِشَهْرَيْنِ: «**لاَ تَنْتَفِعُوا مِنَ الْمَيْتَةِ بِإِهَابٍ، وَلاَ عَصَبٍ**».

قال أَبُو دَاوُدَ: إِلَيْهِ يذهب أحمد.

قال أَبُو دَاوُدَ: قالَ النَّضْرُ بنُ شُمَيْلٍ: يُسَمَّى إِهَابًا مَا لَمْ يُدْبَغْ، فَإِذَا دُبِغَ لاَ يُقَالُ لَهُ: إِهَابٌ، إِنَّمَا يُسَمَّى: شَنًّا وَقِرْبَةً.

[ت42/م40] ـ بابٌ في جُلُودِ النُّمورِ والسِّباعِ

4129 ـ حدّثنا هَنَّادُ بنُ السَّرِيِّ، عنْ وَكِيعٍ، عنْ أَبِي الْمُعْتَمِرِ، عن ابنِ سِيرِينَ، عنْ مُعَاوِيَةَ قالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ تَرْكَبُوا الْخَزَّ وَلاَ النِّمَارَ**».

قالَ: وَكَانَ مُعَاوِيَةُ لاَ يُتَّهَمُ فِي الْحَدِيثِ عَنْ رَسُولِ اللَّهِ ﷺ.

قَالَ لَنَا أَبُو سَعِيدٍ: قالَ لَنَا أَبُو دَاوُدَ: أَبُو الْمُعْتَمِرِ اسْمُهُ: يَزِيدُ بنُ طَهْمَان، كان ينزِلُ الحِيرةَ.

4130 ـ حدّثنا مُحَمَّدُ بنُ بَشَّارٍ: حدَّثنا أَبُو دَاوُدَ، قال: حدَّثنا عِمْرَانُ، عن قَتَادَةَ، عن زُرَارَةَ، عن أَبِي هُرَيْرَةَ، عن النَّبِيِّ ﷺ قالَ: «**لاَ تَصْحَبُ الْمَلاَئِكَةُ رُفْقَةً فِيهَا جِلْدُ نَمِرٍ**».

4131- It is narrated on the authority of Khalid that he said: Al-Miqdam Ibn Ma'di-Karib, in the company of Amr Ibn Al-Aswad and a man from Asad belonging to the inhabitants of Qinisrin, went to Mu'awiyah Ibn Abu Sufyan. Mu'awiyah said to Al-Miqdam: "Do you know that Al-Hasan Ibn Ali died?" Al-Miqdam said: "We all belong to Allah to Whom we will return." The man (Mu'awiyah) said to him: "Do you think it is a calamity?" he said: "Why do I not think it is a calamity, since the Messenger of Allah "Allah's blessing and peace be upon him" placed him in his lap and said: "This (Al-Hasan) resembles me, and Al-Husain resembles Ali"?" the man belonging to Asad said: "(He was no more than) a piece of fire, which Allah Almighty has extinguished." Al-Miqdam said: "As for me, I will not leave you until I provoke your anger, and make you hear what you dislike." He further said: "O Mu'awiyah! If I tell the truth, confirm my statement, and if I tell a lie, give lie to my statement." He said: "I'm going to do." He said: "I beseech you by Allah: do you know that the Messenger of Allah "Allah's blessing and peace be upon him" forbade (men) to wear gold?" he answered in the affirmative. He said: "I beseech you by Allah: do you know that the Messenger of Allah "Allah's blessing and peace be upon him" forbade (men) to wear silk?" he answered in the affirmative. He said: "I beseech you by Allah: do you know that the Messenger of Allah "Allah's blessing and peace be upon him" forbade (men) to wear and ride on the skin of wild animals?" he answered in the affirmative. On that he said: "By Allah, I've seen all of that in your house O Mu'awiyah." Mu'awiyah said: "I've come to know that I have no way to flee from you O Miqdam." Mu'awiyah ordered that he should be given what his two companions were not given, and fixed to him an income of two hundred. But Al-Miqdam distributed that (which was given to him by Mu'awiyah) among his companions. The man of Asad gave nothing in charity from what he had taken. When the news of that reached Mu'awiyah, he said: "As to Al-Miqdam, he is a generous open-handed man, and as to the man of Asad, he is tightfisted."

4132- It is narrated on the authority of Abu Al-Malih Ibn Usamah from his father that the Messenger of Allah "Allah's blessing and peace be upon him" forbade (to utilize) the skin of wild animals.

[43] Putting On Sandals

4133- It is narrated on the authority of Jabir Ibn Abdullah that he said: We were in the company of the Messenger of Allah "Allah's blessing and peace be upon him" on journey, when he said: "Take much more sandals

4131 ـ حدّثنا عَمْرُو بنُ عُثْمَانَ بنِ سَعِيدٍ الْحِمْصِيُّ: حدَّثنا بَقِيَّةُ، عن بَحِيرٍ، عن خَالِدٍ قالَ: «وَفَدَ المِقْدَامُ بنُ مَعْدِيكَرِبَ وَعَمْرُو بنُ الأَسْوَدِ وَرَجُلٌ مِنْ بَنِي أَسَدٍ مِنْ أَهْلِ قِنَّسْرِينَ إِلَى مُعَاوِيَةَ بنِ أَبِي سُفْيَانَ، فَقَالَ لِلْمِقْدَامِ: أَعَلِمْتَ أَنَّ الْحَسَنَ بنَ عَلِيٍّ تُوُفِّيَ؟ قالَ: إِنَّا للَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ، فَرَجَّعَ المِقْدَامُ، فَقَالَ لَهُ رَجُلٌ: أَتَرَاهَا مُصِيبَةً؟ قالَ لَهُ: وَلِمَ لاَ أَرَاهَا مُصِيبَةً وَقَدْ وَضَعَهُ رَسُولُ اللَّهِ ﷺ فِي حِجْرِهِ، فَقَالَ: «**هَذَا مِنِّي، وَحُسَيْنٌ مِنْ عَلِيٍّ**»، فَقَالَ الأَسَدِيُّ: جَمْرَةٌ أَطْفَأَهَا اللَّهُ، قالَ: فقالَ المِقْدَامُ: أَمَّا أَنَا فَلاَ أَبْرَحُ الْيَوْمَ حَتَّى أُغِيظَكَ وَأُسْمِعَكَ مَا تَكْرَهُ، ثُمَّ قَالَ: يَا مُعَاوِيَةُ، إِنْ أَنَا صَدَقْتُ فَصَدِّقْنِي، وَإِنْ أَنَا كَذَبْتُ فَكَذِّبْنِي. قالَ: أَفْعَلُ. قالَ: فَأَنْشُدُكَ باللَّهِ هَلْ سَمِعْتَ رَسُولَ اللَّهِ ﷺ يَنْهَى عَنْ لُبْسِ الذَّهَبِ؟ قال: نَعَمْ. قَالَ: فَأَنْشُدُكَ باللَّهِ هَلْ تَعْلَمُ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عن لُبْسِ الْحَرِيرِ؟ قالَ: نَعَمْ. قَالَ: فَأَنْشُدُكَ باللَّهِ هَلْ تَعْلَمُ أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ لُبْسِ جُلُودِ السِّبَاعِ، وَالرُّكُوبِ عَلَيْهَا؟ قَالَ: نَعَمْ. قَالَ: فَوَاللَّهِ لَقَدْ رَأَيْتُ هَذَا كُلَّهُ فِي بَيْتِكَ يَا مُعَاوِيَةُ، فَقَالَ مُعَاوِيَةُ: قَدْ عَلِمْتُ أَنِّي لَنْ أَنْجُو مِنْكَ يَا مِقْدَامُ. قال خَالِدٌ: فَأَمَرَ لَهُ مُعَاوِيَةُ بِمَا لَمْ يَأْمُرْ لِصَاحِبَيْهِ، وَفَرَضَ لابْنِهِ فِي المئتين، فَفَرَّقَهَا المِقْدَامُ عَلَى أَصْحَابِهِ. قال: وَلَمْ يُعْطِ الأَسَدِيُّ أَحَدًا شَيْئًا مِمَّا أَخَذَ، فَبَلَغَ ذَلِكَ مُعَاوِيَةَ فَقَالَ: أَمَّا المِقْدَامُ فَرَجُلٌ كَرِيمٌ بَسَطَ يَدَهُ، وَأَمَّا الأَسَدِيُّ فَرَجُلٌ حَسَنُ الإِمْسَاكِ لِشَيْئِهِ».

4132 ـ حدّثنا مُسَدَّدُ بنُ مُسَرْهَدٍ: أَنَّ إِسْمَاعِيلَ بنَ إِبْرَاهِيمَ وَيَحْيَى بنَ سَعِيدٍ حَدَّثَاهُمْ، المَعْنَى، عن سَعِيدِ بنِ أَبِي عَرُوبَةَ، عن قَتَادَةَ، عن أَبِي المَلِيحِ بنِ أُسَامَةَ، عن أَبِيهِ: «أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ جُلُودِ السِّبَاعِ».

[ت43/م41] ـ بابٌ في الانتْعِالِ

4133 ـ حدّثنا مُحَمَّدُ بنُ الصَّبَّاحِ الْبَزَّازُ: حدَّثنا ابنُ أَبِي الزِّنَادِ، عن مُوسَى بنِ عُقْبَةَ، عن أَبِي الزُّبَيْرِ، عن جَابِرٍ قالَ: كُنَّا مَعَ النَّبِيِّ ﷺ فِي سَفَرٍ،

with you, for one is regarded as riding (i.e. his feet are not in contact with the earth) as long as he is putting sandals."

4134- It is narrated on the authority of Anas that he said: The sandal of The Prophet "Allah's blessing and peace be upon him" had two straps.

4135- It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" forbade that a man should put on sandals while standing.

4136- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let none of you walk in a single sandal: let him put on both, or put off both."

4137- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If the leather strap of the sandal of anyone of you tears, let not him walk in the other sandal solely until he mends the leather strap of his sandal; and let not him also walk in a single footwear, nor eat with his left hand."

4138- It is narrated on the authority of Ibn Abbas that he said: It is out of the sunnah that if one sits down, let him put off his sandals, and place them by his (left) side.

4139- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "If anyone of you intends to put on his sandals, let him start with the right one, and if he intends to put them off, let him start with the left one, on the basis that the right one is the first to be put on, and the last to be put off."

4140- It is narrated on the authority of A'ishah that she said: The Messenger of Allah "Allah's blessing and peace be upon him" liked to start with the right as possible as he could in all of his affairs, such as his ablution, walking, putting on his sandals, and Siwak (according to the narration of Muslim).

Abu Dawud says: The same is narrated on the authority of Shu'bah, and no mention is made of the Siwak.

4141- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "When you put on (your clothes and sandals) and when you perform ablution, you should start with the parts of your right side."

فقالَ: «**أَكْثِرُوا مِنَ النِّعَالِ، فَإِنَّ الرَّجُلَ لاَ يَزَالُ رَاكِبًا مَا انْتَعَلَ**».

4134 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا هَمَّامٌ، عن قَتَادَةَ، عن أَنَسٍ: «أَنَّ نَعْلَ النَّبِيِّ ﷺ كَانَ لَهَا قِبَالاَنِ».

4135 ـ حدّثنا مُحَمَّدُ بنُ عَبْدِ الرَّحِيمِ أَبو يَحْيَى قالَ: أخبرنا أَبو أَحْمَدَ الزُّبَيْرِيُّ: حدَّثنا إِبْرَاهِيمُ بنُ طَهْمَانَ، عن أَبِي الزُّبَيْرِ، عن جَابِرٍ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ أَنْ يَنْتَعِلَ الرَّجُلُ قَائِمًا».

4136 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عن أَبِي الزِّنَادِ، عن الأَعْرَجِ، عن أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لاَ يَمْشِي أَحَدُكُمْ فِي النَّعْلِ الْوَاحِدَةِ، لِيَنْتَعِلْهُمَا جَمِيعًا، أَوْ لِيَخْلَعْهُمَا جَمِيعًا**».

4137 ـ حدّثنا أَبُو الْوَلِيدِ الطَّيَالِسِيُّ: حدَّثنا زُهَيْرٌ: حدَّثنا أَبُو الزُّبَيْرِ، عن جَابِرٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا انْقَطَعَ شِسْعُ نَعْلِ أَحَدِكُمْ، فَلاَ يَمْشِ فِي نَعْلٍ وَاحِدَةٍ، حَتَّى يُصْلِحَ شِسْعَهُ. وَلاَ يَمْشِ فِي خُفٍّ وَاحِدٍ، وَلاَ يَأْكُلْ بِشِمَالِهِ**».

4138 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا صَفْوَانُ بنُ عِيسَى: حدَّثنا عَبْدُ اللَّهِ بنُ هَارُونَ، عن زِيَادِ بنِ سَعْدٍ، عن أَبِي نَهِيكٍ، عن ابنِ عَبَّاسٍ قالَ: «مِنَ السُّنَّةِ إِذَا جَلَسَ الرَّجُلُ أَنْ يَخْلَعَ نَعْلَيْهِ، فَيَضَعَهُمَا بِجَنْبِهِ».

4139 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عن أَبِي الزِّنَادِ، عن الأَعْرَجِ، عن أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**إِذَا انْتَعَلَ أَحَدُكُمْ، فَلْيَبْدَأْ بِالْيَمِينِ. وَإِذَا نَزَعَ، فَلْيَبْدَأْ بالشِّمَالِ. وَلْتَكُنِ الْيَمِينُ أَوَّلَهُمَا يُنْتَعَلُ، وَآخِرَهُمَا يُنْزَعُ**».

4140 ـ حدّثنا حَفْصُ بنُ عُمَرَ وَمُسْلِمُ بنُ إِبْرَاهِيمَ قَالاَ: حدَّثنا شُعْبَةُ، عن الأَشْعَثِ بنِ سُلَيْم، عن أَبِيهِ، عن مَسْرُوقٍ، عن عَائِشَةَ قالَتْ: «كَانَ رَسُولُ اللَّهِ ﷺ يُحِبُّ التَّيَمُّنَ مَا اسْتَطَاعَ فِي شَأْنِهِ كُلِّهِ: فِي طُهُورِهِ، وَتَرَجُّلِهِ، وَنَعْلِهِ».

قالَ مُسْلِمٌ: وَسِوَاكِهِ، وَلَمْ يَذْكُرْ فِي شَأْنِهِ كُلِّهِ.

قال أَبُو دَاوُدَ: رَوَاهُ عن شُعْبَةَ مُعَاذٌ، وَلَمْ يَذْكُرْ «سِوَاكَهُ».

4141 ـ حدّثنا النُّفَيْلِيُّ: حدَّثنا زُهَيْرٌ: حدَّثنا الأَعْمَشُ، عن أَبِي صَالِحٍ، عنْ أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا لَبِسْتُمْ، وَإِذَا تَوَضَّأْتُمْ، فَابْدَأُوا بِأَيَامِنِكُمْ**».

[44] What About The Bed?

4142- It is narrated on the authority of Jabir Ibn Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" mentioned the beds and said: "(It is enough to have) a bed for the man, another for the woman, a third for the guest, and (if there is) fourth, it is then for Satan" (since in this case it will be beyond the need, by way of showing pride and glory, which is condemned, and anything that is condemned should be ascribed to Satan).

4143- It is narrated on the authority of Jabir Ibn Samurah that he said: I visited the Messenger of Allah "Allah's blessing and peace be upon him" in his house, and found him reclining against a cushion, lying on his left side.

4144- It is narrated on the authority of Ibn Umar that he saw a company of people on journey belonging to the inhabitants of Yemen, whose saddlebags were of tanned leather, thereupon he said: "He, who likes to see a company, the most similar to the companions of the Messenger of Allah "Allah's blessing and peace be upon him", let him look at those."

4145- It is narrated on the authority of Jabir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "Have you got carpets?" I said: "How should we get carpets (on account of our being very poor)?" on that the Messenger of Allah "Allah's blessing and peace be upon him" said: "No doubt, you will have carpets (in the near future)."

4146- It is narrated on the authority of A'ishah that she said: The cushion of the Messenger of Allah "Allah's blessing and peace be upon him" on which he used to sleep during the night was of leather stuffed with palm-fibers.

4147- It is narrated on the authority of A'ishah that she said: The lying couch of the Messenger of Allah "Allah's blessing and peace be upon him" was of leather stuffed with palm-fibers.

4148- It is narrated on the authority of Zainab Bint Umm Salamah from Umm Salamah that her bed was in (her dwelling place, in) front of the mosque of the Messenger of Allah "Allah's blessing and peace be upon him".

[45] Hanging Curtains

4149- It is narrated on the authority of Ibn Umar that he said: Once The Prophet "Allah's blessing and peace be upon him" went to the house of Fatimah and found a curtain having engravings hung at the gate, thereupon he did not enter it, even though he hardly came and did not start with her

[ت44/م42] ـ بابٌ في الفُرُشِ

4142 ـ حدّثنا يَزِيدُ بنُ خالِدٍ الْهَمْدَانِيُّ الرَّمْلِيُّ: حدَّثنا ابنُ وَهْبٍ، عن أَبِي هَانِئٍ، عن أَبِي عَبْدِ الرَّحمَنِ الحُبُلِيِّ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: ذَكَرَ رَسُولُ اللَّهِ ﷺ الْفُرُشَ، فَقَالَ: «**فِرَاشٌ لِلرَّجُلِ، وَفِرَاشٌ لِلْمَرْأَةِ، وَفِرَاشٌ لِلضَّيْفِ، وَالرَّابِعُ لِلشَّيْطَانِ**».

4143 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا وَكِيعٌ. (ح): وحدَّثنا عَبْدُ اللَّهِ بنُ الْجَرَّاحِ، عنْ وَكِيعٍ، عنْ إِسْرَائِيلَ، عنْ سِمَاكٍ، عنْ جَابِرِ بنِ سَمُرَةَ قالَ: «دَخَلْتُ عَلَى النَّبِيِّ ﷺ فِي بَيْتِهِ، فَرَأَيْتُهُ مُتَّكِئًا عَلَى وِسَادَةٍ». زَادَ ابنُ الْجَرَّاحِ: «عَلَى يَسَارِهِ».

قال أحمدُ: حدثنا وكيعٌ، وقال ابن الجَّراحِ: عن وكيعٍ.

قال أَبُو دَاوُدَ: رَوَاهُ إِسْحَاقُ بنُ مَنْصُورٍ عنْ إِسْرَائِيلَ أَيْضًا: «عَلَى يَسَارِهِ».

4144 ـ حدّثنا هَنَّادُ بنُ السَّرِيِّ، عنْ وَكِيعٍ، عنْ إِسْحَاقَ بنِ سَعِيدِ بنِ عَمْرٍو الْقُرَشِيِّ، عنْ أَبِيهِ، عن ابنِ عُمَرَ: «أَنَّهُ رَأَى رُفْقَةً مِنْ أَهْلِ الْيَمَنِ رِحَالُهُمُ الأَدَمُ، فَقَالَ: مَنْ أَحَبَّ أَنْ يَنْظُرَ إِلَى أَشْبَهِ رُفْقَةٍ كَانُوا بِأَصْحَابِ رَسُولِ اللَّهِ ﷺ، فَلْيَنْظُرْ إِلَى هٰؤُلاَءِ».

4145 ـ حدّثنا ابنُ السَّرْحِ: حدَّثنا سُفْيَانُ، عن ابنِ الْمُنْكَدِرِ، عنْ جَابِرٍ قالَ: قَالَ لِي رَسُولُ اللَّهِ ﷺ: «**أَتَّخَذْتُمْ أَنْمَاطًا؟**» قُلْتُ: وَأَنَّى لَنَا الأَنْمَاطُ؟ فَقَالَ: «**أَمَا إِنَّهَا سَتَكُونُ لَكُمْ أَنْمَاطٌ**».

4146 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ وَأَحْمَدُ بنُ مَنِيعٍ، قالاَ: حدَّثنا أَبُو مُعَاوِيَةَ، عن هِشَامِ بنِ عُرْوَةَ، عن أَبِيهِ، عن عَائِشَةَ قالَتْ: «كَانَ وِسَادَةُ رَسُولِ اللَّهِ ﷺ ـ قَالَ ابنُ مَنِيعٍ الَّتِي يَنَامُ عَلَيْهَا بالَّلَيْلِ، ثُمَّ اتَّفَقَا ـ: مِنْ أَدَمٍ حَشْوُهَا لِيفٌ».

4147 ـ حدّثنا أَبُو تَوْبَةَ: حدَّثنا سُلَيْمَانُ ـ يَعْنِي ابنَ حَيَّانَ ـ، عَنْ هِشَامٍ، عن أَبِيهِ، عنْ عَائِشَةَ قالَتْ: «كَانَ ضِجْعَةُ رَسُولِ اللَّهِ ﷺ مِنْ أَدَمٍ حَشْوُهَا لِيفٌ».

4148 ـ حدّثنا مُسَدَّدٌ: أَخْبَرنا يَزِيدُ بنُ زُرَيْعٍ: حدثنا خَالِدٌ الْحَذَّاءُ، عنْ أَبِي قِلاَبَةَ، عنْ زَيْنَبَ بِنْتِ أُمِّ سَلَمَةَ، عنْ أُمِّ سَلَمَةَ، قَالَتْ: «كَانَ فِرَاشُهَا حِيَالَ مَسْجِدِ النَّبِيِّ ﷺ».

[ت45/م43] ـ بابٌ في اتِّخاذِ السُّتُورِ

4149 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا ابنُ نُمَيْرٍ: حدَّثنا فُضَيْلُ بنُ غَزْوَانَ، عن نَافِعٍ، عن عَبْدِ اللَّهِ بنِ عُمَرَ: أَنَّ رَسُولَ اللَّهِ ﷺ أَتَى فَاطِمَةَ، فَوَجَدَ عَلَى بَابِهَا سِتْرًا، فَلَمْ يَدْخُلْ ـ قالَ: وَقَلَّ مَا كَانَ يَدْخُلُ إِلاَّ بَدَأَ بِهَا ـ فَجَاءَ عَلِيٌّ، فَرَآهَا مُهْتَمَّةً، فَقَالَ: مَا

house. Ali came and found her anxious. He asked her: “What is wrong with you?” She said: “The Messenger of Allah "Allah's blessing and peace be upon him" came to visit me, but he did not enter.” Ali went to the Messenger of Allah "Allah's blessing and peace be upon him" and said to him: “O Messenger of Allah! Fatimah felt it hard upon herself that you came to visit her, but you did not enter.” He said: “I have nothing to do with worldly things. I have nothing to do with (your) engravings." Ali went to Fatimah and told her about the statement of the Messenger of Allah "Allah's blessing and peace be upon him". Fatimah said: “Tell the Messenger of Allah "Allah's blessing and peace be upon him" that I'm ready to do what he commands me to do.” He said (to Ali): “Tell her to send it to sons of so and so (of the needy people).”

4150- The same is narrated on the authority of Ibn Fudail from his father, in which he said: “It was a curtain decked with engravings.

[46] What About The Cross In The Dress?

4151- It is narrated on the authority of A’ishah that the Messenger of Allah "Allah's blessing and peace be upon him" never left in his house a thing taking the shape of the cross but that he would cut from it (to eliminate its features).

[47] What About Pictures?

4152- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “The angels never enter a house in which there is a picture or a dog, or one in the state of ceremonial impurity.”

4153- It is narrated on the authority of Zaid Ibn Khalid Al-Juhani that Abu Talhah Al-Ansari told: I heard The Messenger of Allah "Allah's blessing and peace be upon him" saying: “The angels never enter a house in which there is a dog or a portrait.” He said: "Let’s go to A’ishah, the Mother of the Believers, in order to ask her about that." We came to A'ishah and said: “O Mother of Believers! Abu Talhah relates to us that The Messenger of Allah "Allah's blessing and peace be upon him" said such and such: Did you hear The Messenger of Allah "Allah's blessing and peace be upon him" having mentioned that?” She replied in the negative and added: “But I am going to narrate to you what I saw him doing. he set out for a certain holy battle, and I waited in expectation for his return... I took a carpet belonging to us, with which I screened the door. When he (The Prophet) returned, I received him, and saluted him saying: “Peace, Allah’s Mercy and Blessing be upon you O Messenger of Allah. Praise be to Allah

لَكِ؟ قَالَتْ: جَاءَ النَّبِيُّ ﷺ إِلَيَّ فَلَمْ يَدْخُلْ، فَأَتَاهُ عَلِيٌّ فَقَالَ: يَا رَسُولَ اللَّهِ إِنَّ فَاطِمَةَ اشْتَدَّ عَلَيْهَا أَنَّكَ جِئْتَهَا، فَلَمْ تَدْخُلْ عَلَيْهَا؟ قَالَ: «**وَمَا أَنَا وَالدُّنْيَا؟!، وَمَا أَنَا وَالرَّقْمُ؟!**»، فَذَهَبَ إِلَى فَاطِمَةَ فَأَخْبَرَهَا بِقَوْلِ رَسُولِ اللَّهِ ﷺ، فَقَالَتْ: قُلْ لِرَسُولِ اللَّهِ ﷺ مَا يَأْمُرُنِي بِهِ، قَالَ: «**قُلْ لَهَا: فَلْتُرْسِلْ بِهِ إِلَى بَنِي فُلاَنٍ**».

4150 ـ حدّثنا وَاصِلُ بنُ عَبْدِ الأَعْلَى الأَسَدِيُّ: حدَّثنا ابنُ فُضَيْلٍ، عن أَبِيهِ بِهَذَا الحدِيثِ قالَ: «وَكَانَ سِتْرًا مَوْشِيًّا».

[ت46/م44] ـ بابٌ في الصَّلِيبِ في الثَّوبِ

4151 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا أَبَانٌ: حدثنا يَحْيَى: حدَّثنا عِمْرَانُ بنُ حِطَّانَ، عنْ عَائِشَةَ: «أَنَّ رَسُولَ اللهِ ﷺ كَانَ لاَ يَتْرُكُ فِي بَيْتِهِ شَيْئًا فِيهِ تَصْلِيبٌ إِلاَّ قَضَبَهُ».

[ت47/م45] ـ بابٌ في الصُّوَرِ

4152 ـ حدّثنا حَفْصُ بنُ عُمَرَ: حدَّثنا شُعْبَةُ، عنْ عَلِيِّ بنِ مُدْرِكٍ، عن أَبِي زُرْعَةَ بنِ عَمْرِو بنِ جَرِيرٍ، عنْ عَبْدِ اللَّهِ بنِ نُجَيٍّ، عنْ أَبِيهِ، عنْ عَلِيٍّ، عن النَّبِيِّ ﷺ قَالَ: «**لاَ تَدْخُلُ المَلاَئِكَةُ بَيْتًا فِيهِ صُورَةٌ، وَلاَ كَلْبٌ، وَلاَ جُنُبٌ**».

4153 ـ حدّثنا وَهْبُ بنُ بَقِيَّةَ: حدَّثنا خَالِدٌ، عنْ سُهَيْلٍ ـ يَعْنِي ابنَ أَبِي صَالِحٍ ـ، عنْ سَعِيدِ بنِ يَسَارٍ الأَنْصَارِيِّ، عَنْ زَيْدِ بنِ خَالِدٍ الْجُهَنِيِّ، عنْ أَبِي طَلْحَةَ الأَنْصَارِيِّ قالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «**لاَ تَدْخُلُ المَلاَئِكَةُ بَيْتًا فِيهِ كَلْبٌ، وَلاَ تِمْثَالٌ**». وَقَالَ: انْطَلِقْ بِنَا إِلَى أُمِّ المُؤْمِنِينَ عَائِشَةَ، فَسَلْهَا عَنْ ذَلِكَ. فَانْطَلَقْنَا فَقُلْنَا: يَا أُمَّ المُؤْمِنِينَ، إِنَّ أَبَا طَلْحَةَ حَدَّثَنَا عَنْ رَسُولِ اللَّهِ ﷺ بِكَذَا وَكَذَا، فَهَلْ سَمِعْتِ النَّبِيَّ ﷺ يَذْكُرُ ذَلِكَ؟ قَالَتْ: لاَ، وَلَكِنْ سَأُحَدِّثُكُمْ بِمَا رَأَيْتُهُ فَعَلَ: خَرَجَ رَسُولُ اللَّهِ ﷺ فِي بَعْضِ مَغَازِيهِ وَكُنْتُ أَتَحَيَّنُ قُفُولَهُ، فَأَخَذْتُ نَمَطًا كَانَ لَنَا فَسَتَرْتُهُ عَلَى الْعَرْضِ فَلَمَّا جَاءَ اسْتَقْبَلْتُهُ، فَقُلْتُ: السَّلاَمُ

Who has supported you, and honoured you (with victory)." he looked at the house and saw that carpet, and gave no reply to my greeting. Furthermore, I noticed (the signs of) disapproval on his face. He pulled it until he tore it (into pieces). Then, he said: "Allah has not ordered us, in whatever sustenance He has bestowed upon us, to clothe stones and clay." I cut this (curtain) from which I prepared two cushions stuffed with date-palm fibers, which he (The Prophet) did not criticize.

4154- The same is narrated on the authority of Suhail, through the same chain of transmission, but with a slight variation of wording.

4155- It is narrated on the authority of Zaid Ibn Khalid Al-Juhani that Abu Talhah said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The angels never enter a house in which there is a picture." Busr told: Zaid fell ill and we went to visit him. (We found that) there was a curtain hanging at his door with a picture on it. I said to Ubaidullah Al-Khawlani, the step-son of Maimunah, the wife of The Messenger of Allah "Allah's blessing and peace be upon him": "Did not Zaid himself tell us earlier of (the order of The Prophet pertaining to the prohibition of) pictures?" Ubaidullah said: "Did not you hear him when he said: "Except for the prints on the cloth"?"

4156- It is narrated on the authority of Jabir that in the year of the Conquest (of Mecca), while the Messenger of Allah "Allah's blessing and peace be upon him" was in Al-Batha', he ordered Umar Ibn Al-Khattab to go to the Ka'bah and remove all the pictures it had, and the Messenger of Allah "Allah's blessing and peace be upon him" did not enter it until all the pictures it had were removed.

4157- It is narrated on the authority of Abdullah Ibn Abbas that Maimunah, the wife of the Messenger of Allah "Allah's blessing and peace be upon him", told him that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Gabriel promised me to meet me tonight, but he did not come." Then it occurred to his mind that there had been a young dog under our cot. He ordered it be turned out. He then took some water in his hand which he sprinkled at that place. When it was evening Gabriel visited him to whom he said: "you promised me to meet me last night (Why did you not come?)" He said: "Yes, but we never enter a house in which there is a dog or a picture." in the morning (following that night), the Messenger of Allah "Allah's blessing and peace be upon him" ordered that the dogs should be killed, (to the extent that) he ordered that the dog reserved for the orchards should also be killed, but he saved the dog reserved for (guarding) the large fields (or gardens).

عَلَيْكَ يَا رَسُولَ اللَّهِ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ، الْحَمْدُ للَّهِ الَّذِي أَعَزَّكَ وَأَكْرَمَكَ. فَنَظَرَ إِلَى الْبَيْتِ فَرَأَى النَّمَطَ، فَلَمْ يَرُدَّ عَلَيَّ شَيْئًا، وَرَأَيْتُ الْكَرَاهِيَةَ فِي وَجْهِهِ. فَأَتَى النَّمَطَ حَتَّى هَتَكَهُ، ثُمَّ قَالَ: «**إِنَّ اللَّهَ لَمْ يَأْمُرْنَا فِيمَا رَزَقَنَا أَنْ نَكْسُوَ الْحِجَارَةَ وَاللَّبِنَ**». قَالَتْ: فَقَطَعْتُهُ، وَجَعَلْتُهُ وِسَادَتَيْنِ، وَحَشَوْتُهُمَا لِيفًا، فَلَمْ يُنْكِرْ ذَلِكَ عَلَيَّ.

4154 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا جَرِيرٌ، عن سُهَيْلٍ بِإِسْنَادِهِ مِثْلَهُ قالَ: فَقُلْتُ: يَا أُمَّهْ، إِنَّ هَذَا حَدَّثَنِي أَنَّ النَّبِيَّ ﷺ قَالَ، وَقَالَ فِيهِ: سَعِيدُ بنُ يَسَارٍ مَوْلَى بَنِي النَّجَّارِ.

4155 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ: حدَّثنا اللَّيْثُ، عن بُكَيْرٍ، عنْ بُسْرِ بنِ سَعِيدٍ، عنْ زَيْدِ بنِ خَالِدٍ، عنْ أَبِي طَلْحَةَ أَنَّهُ قَالَ: إِنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**إِنَّ المَلاَئِكَةَ لاَ تَدْخُلُ بَيْتًا فِيهِ صُورَةٌ**». قَالَ بُسْرٌ: ثُمَّ اشْتَكَى زَيْدٌ فَعُدْنَاهُ، فَإِذَا عَلَى بَابِهِ سِتْرٌ فِيهِ صُورَةٌ، فَقُلْتُ لِعُبَيْدِ اللَّهِ الْخَوْلاَنِيِّ رَبِيبِ مَيْمُونَةَ زَوْجِ النَّبِيِّ ﷺ: أَلَمْ يُخْبِرْنَا زَيْدٌ عن الصُّوَرِ يَوْمَ الأَوَّلِ؟ فَقَالَ عُبَيْدُ اللَّهِ: أَلَمْ تَسْمَعْهُ حِينَ قَالَ: «**إِلاَّ رَقْمًا فِي ثَوْبٍ**».

4156 ـ حدّثنا الْحَسَنُ بنُ الصَّبَّاحِ: أَنَّ إِسْمَاعِيلَ بنَ عَبْدِ الْكَرِيمِ حَدَّثَهُمْ قالَ: حدَّثني إِبْرَاهِيمُ ـ يَعْنِي ابنَ عَقِيلٍ ـ، عنْ أَبِيهِ، عنْ وَهْبِ بنِ مُنَبِّهٍ، عنْ جَابِرٍ: «أَنَّ النَّبِيَّ ﷺ أَمَرَ عُمَرَ بنَ الْخَطَّابِ زَمَنَ الْفَتْحِ وَهُوَ بالْبَطْحَاءِ أَنْ يَأْتِيَ الْكَعْبَةَ فَيَمْحُوَ كُلَّ صُورَةٍ فِيهَا، فَلَمْ يَدْخُلْهَا النَّبِيُّ ﷺ حَتَّى مُحِيَتْ كُلُّ صُورَةٍ فِيهَا».

4157 ـ حدّثنا أَحْمَدُ بنُ صَالِحٍ: حدَّثنا ابنُ وَهْبٍ: أَخبرني يُونُسُ، عن ابنِ شِهَابٍ، عن ابنِ السَّبَّاقِ، عنِ ابنِ عَبَّاسٍ قالَ: حدَّثَتْنِي مَيْمُونَةُ زَوْجُ النَّبِيِّ ﷺ: أَنَّ النَّبِيَّ ﷺ قالَ: «**إِنَّ جِبْرِيلَ عَلَيْهِ السَّلاَمُ كَانَ وَعَدَنِي أَنْ يَلْقَانِي اللَّيْلَةَ، فَلَمْ يَلْقَنِي**»، ثُمَّ وَقَعَ فِي نَفْسِهِ جَرْوُ كَلْبٍ تَحْتَ بِسَاطٍ لَنَا، فَأَمَرَ بِهِ فَأُخْرِجَ، ثُمَّ أَخَذَ بِيَدِهِ مَاءً فَنَضَحَ بِهِ مَكَانَهُ، فَلَمَّا لَقِيَهُ جِبْرِيلُ عَلَيْهِ السَّلاَمُ قالَ: «**إِنَّا لاَ نَدْخُلُ بَيْتًا فِيهِ كَلْبٌ، وَلاَ صُورَةٌ**»، فَأَصْبَحَ النَّبِيُّ ﷺ، فَأَمَرَ بِقَتْلِ الْكِلاَبِ. حَتَّى إِنَّهُ لَيَأْمُرُ بِقَتْلِ كَلْبِ الْحَائِطِ الصَّغِيرِ، وَيَتْرُكُ كَلْبَ الْحَائِطِ الْكَبِيرِ.

4158- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: “Gabriel “Peace be upon him” came to me and said: “I’ve come to you the last night, but nothing prevented me from getting in except that I found portraits on the gate, and in the house, there was a thin curtain having portraits on it, and in the house, there was a dog. So, order that the head of the portrait which is in the house be cut and thus it will be like a tree; and order that the curtain be cut and made into two trodden cushions; and order that the dog be driven out.” The Messenger of Allah "Allah's blessing and peace be upon him" did accordingly. Behold! This dog was for Hasan or Husain, under a cot belonging to us.

4158 ـ حدّثنا أبُو صَالِحٍ مَحْبُوبُ بنُ مُوسَى: حدَّثنا أبُو إسْحَاقَ الْفَزَارِيُّ، عن يُونُسَ بنِ أبِي إسْحَاقَ، عنْ مُجَاهِدٍ قالَ: حدثنا أبُو هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«أتَانِي جِبْرِيلُ فَقَالَ لِي: أتَيْتُكَ الْبَارِحَةَ، فَلَمْ يَمْنَعْنِي أنْ أكُونَ دَخَلْتُ إلاَّ أنَّهُ كَانَ عَلَى الْبَابِ تَمَاثِيلُ، وَكَانَ فِي الْبَيْتِ قِرَامُ سِتْرٍ فِيهِ تَمَاثِيلُ، وَكَانَ فِي الْبَيْتِ كَلْبٌ. فَمُرْ بِرَأْسِ التِّمْثَالِ الَّذِي فِي الْبَيْتِ يُقْطَعْ، فَيَصِيرُ كَهَيْئَةِ الشَّجَرَةِ. وَمُرْ بالسِّتْرِ فَلْيُقْطَعْ، فَلْيُجْعَلْ مِنْهُ وِسَادَتَيْنِ مَنْبُوذَتَيْنِ تُوطَآنِ. وَمُرْ بِالْكَلْبِ، فَلْيُخْرَجْ»**. فَفَعَلَ رَسُولُ اللَّهِ ﷺ، وَإذَا الْكَلْبُ لِحَسَنٍ أوْ حُسَيْنٍ كَانَ تَحتَ نَضَدٍ لَهُمْ، فَأمَرَ بِهِ فَأُخرِجَ.

قال أبُو دَاوُدَ: وَالنَّضَدُ شَيْءٌ تُوضَعُ عَلَيْهِ الثِّيَابُ شِبْهُ السَّرَايِرِ.

(27/32) THE BOOK OF Combing

[1]

4159- It is narrated on the authority of Abdullah Ibn Mughaffal that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade combing (both the head and the beard every time) unless it is on alternate days.

4160- It is narrated on the authority of Abdullah Ibn Buraidah that a man from amongst the companions of the Messenger of Allah "Allah's blessing and peace be upon him" went to Fadalah Ibn Ubaid in Egypt. When he came to him he said: "Indeed, I've not come to you as a visitor, but for a narration both I and you had heard from the Messenger of Allah "Allah's blessing and peace be upon him", and I hope you have knowledge of it." He asked him: "What is it?" he said: "Such and such." He asked him: "Then, why am I seeing you dishevelled even though you are a chief among your people?" he said: "No doubt, the Messenger of Allah "Allah's blessing and peace be upon him" forbade us to lead an extremely luxurious life." He further asked him: "Then, why am I seeing you wearing no shoes?" he said: "The Messenger of Allah "Allah's blessing and peace be upon him" ordered us to be bear-footed sometimes."

4161- It is narrated on the authority of Abu Umamah that he said: A mention was made of the worldly (benefits and materials) by the companions to the Messenger of Allah "Allah's blessing and peace be upon him", thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Do you not pay attention? Do you not pay attention? No doubt, the modesty of dressing and appearance is out of faith! No doubt, the modesty of dressing and appearance is out of faith!"

[2] It Is Desirable To Apply Perfume

4162- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" had a good-smelling perfume, which he used to apply to his body.

[3] What About Maintaining Hair?

4163- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who has hair, let him maintain it."

[27/32] ـ كتاب التَّرَجُّلِ

[ت1/م1] ـ بابٌ

4159 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى، عن هِشَامِ بنِ حَسَّانَ، عن الْحَسَنِ، عن عَبْدِ اللَّهِ بنِ مُغَفَّلٍ: «نَهَى رَسُولُ اللَّهِ ﷺ عن التَّرَجُّلِ إلاَّ غِبًّا».

4160 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا يَزِيدُ الْمَازِنِيُّ: أخبرنا الْجَرِيرِيُّ، عن عَبْدِ اللَّهِ بنِ بُرَيْدَةَ: أَنَّ رَجُلاً مِنْ أَصْحَابِ النَّبِيِّ ﷺ رَحَلَ إِلَى فَضَالَةَ بنِ عُبَيْدٍ وَهُوَ بِمِصْرَ، فَقَدِمَ عَليهِ فَقَالَ: «أَمَا إِنِّي لَمْ آتِكَ زَائِرًا، وَلَكِنِّي سَمِعْتُ أَنَا وَأَنْتَ حَدِيثًا مِنْ رَسُولِ اللَّهِ ﷺ رَجَوْتُ أَنْ يَكُونَ عِنْدَكَ مِنْهُ عِلْمٌ، قالَ: مَا هُوَ؟ قَالَ: كَذَا وَكَذَا. قالَ: فَمَا لِي أَرَاكَ شَعِثًا وَأَنْتَ أَمِيرُ الأَرْضِ؟ قال: إِنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَنْهَانَا عن كَثِيرٍ مِنَ الإِرْفَاهِ. قال: فَمَا لَي لاَ أَرَى عَلَيْكَ حِذَاءً؟ قال: كَانَ النَّبِيُّ ﷺ يَأْمُرُنَا أَنْ نَحْتَفِيَ أَحْيَانًا».

4161 ـ حدّثنا النُّفَيْلِيُّ: حدَّثنا مُحَمَّدُ بنُ سَلَمَةَ، عن مُحَمَّدِ بنِ إِسْحَاقَ، عن عَبْدِ اللَّهِ بنِ أَبي أُمَامَةَ، عن عَبْدِ اللَّهِ بنِ كَعْبِ بنِ مَالِكٍ، عن أَبِي أُمَامَةَ قالَ: ذَكَرَ أَصْحَابُ رَسُولِ اللَّهِ ﷺ يَوْمًا عِنْدَهُ الدُّنْيَا، فَقَالَ رَسُولُ اللَّهِ ﷺ: **«أَلاَ تَسْمَعُونَ؟ أَلاَ تَسْمَعُونَ؟ إِنَّ الْبَذَاذَةَ مِنَ الإِيْمَانِ، إِنَّ الْبَذَاذَةَ مِنَ الإِيْمَانِ»**.

قالَ أَبُو دَاوُدَ: يَعْنِي التَّقَحُّلَ.

قال أَبُو دَاوُدَ: وَهُوَ أَبُو أُمَامَةَ بنُ ثَعْلَبَةَ الأَنْصَارِيُّ.

[ت2/م2] ـ بابٌ ما جاء في استِحبابِ الطِّيبِ

4162 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ: حدَّثنا أَبُو أَحْمَدَ، عن شَيْبَانَ بنِ عَبدِ الرَّحْمَنِ، عن عَبْدِ اللَّهِ بنِ الْمُخْتَارِ، عن مُوسَى بنِ أَنَسٍ، عن أَنَسِ بنِ مَالِكٍ قالَ: «كَانَتْ لِلنَّبِيِّ ﷺ سُكَّةٌ يَتَطَيَّبُ مِنْهَا».

[ت3/م3] ـ بابٌ في إِصلاحِ الشَّعَرِ

4163 ـ حدّثنا سُلَيْمَانُ بنُ دَاوُدَ الْمَهْرِيُّ: أخبرنا ابنُ وَهْبٍ: أخبرنا ابنُ أَبِي الزِّنَادِ، عن سُهَيْلِ بنِ أَبِي صَالِحٍ، عن أَبِيهِ، عن أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: **«مَنْ كَانَ لَهُ شَعَرٌ، فَلْيُكْرِمْهُ»**.

[4] What About Dye For Women?

4164- It is narrated on the authority of Karimah Bint Hammam that a woman went to A'ishah and asked her about the dye of henna for women, thereupon she said: "There is no harm in it, even though I dislike it, for my sweetheart, the Messenger of Allah "Allah's blessing and peace be upon him", had aversion towards its smell."

Abu Dawud says: She means the hair dye.

4165- It is narrated on the authority of A'ishah that Hind Bint Utbah said to the Messenger of Allah "Allah's blessing and peace be upon him": "O Prophet of Allah! Accept from me the pledge of allegiance." He said: "I will not accept from you the pledge of allegiance unless you change (i.e. dye with henna) your hands, which seem as if they are the hands of a wild animal (i.e. like the hands of men)."

4166- It is narrated on the authority of A'ishah that she said: A woman brought out from behind the curtains of her dwelling place a letter to the Messenger of Allah "Allah's blessing and peace be upon him", thereupon he withdrew his hand and said: "I do not know whether this hand is a man's or a woman's." she said: "Nay, it is a woman's hand." On that he said: "If you are really a woman, you then should change your nails, i.e. dye them with henna."

[5] What About Using False Hair?

4167- It is narrated on the authority of Humaid Ibn Abd Ar-Rahman that he heard Mu'awiyah Ibn Abu Sufyan (talking) on the pulpit in the year when he performed Hajj. He took a tuft of hair that was in the hand of an orderly and said: "O people of Medina! Where are your learned men? I heard The Prophet "Allah's blessing and peace be upon him" forbidding such a thing as this (false hair). He used to say: "The Israelis were destroyed when their ladies practiced this habit (of using false hair to lengthen their locks).""

4168- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" cursed such as lengthens the forelocks with the help of false hair, as well as such as gets her forelocks lengthened with the help of false hair; he further cursed such as practices tattooing, as well as such as gets herself tattooed.

4169- It is narrated on the authority of Alqamah that he said: Abdullah said: "Allah curses those ladies who practice tattooing and those who get themselves tattooed, (as well as he curses) those ladies who remove the hair from their faces and those who make artificial spaces between their teeth in

[ت4/م4] ـ بابٌ في الخِضَابِ للنِّساءِ

4164 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ عُمَرَ: حدَّثنا يَحْيَى بنُ سَعِيدٍ، عن عَلِيِّ بنِ المُبَارَكِ، عن يَحْيَى بنِ أَبِي كَثِيرٍ قالَ: حَدَّثَتْنِي كَرِيمَةُ بِنْتُ هُمَامٍ: «أَنَّ امْرَأَةً أَتَتْ عَائِشَةَ فَسَأَلَتْهَا عَنْ خِضَابِ الْحِنَّاءِ، فَقَالَتْ: لاَ بَأْسَ بِهِ وَلَكِنِّي أَكْرَهُهُ، كَانَ حَبِيبِي رسولُ اللَّهِ ﷺ يَكْرَهُ رِيحَهُ».

قال أَبُو دَاوُدَ: تَعْنِي خِضَابَ شَعَرِ الرَّأْسِ.

4165 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثَتْنِي غِبْطَةُ بِنْتُ عَمْرٍو المُجَاشِعِيَّةُ قالَتْ: حَدَّثَتْنِي عَمَّتِي أُمُّ الْحَسَنِ، عن جَدَّتِهَا، عن عَائِشَةَ: أَنَّ هِنْدَ ابْنَةَ عُتْبَةَ قَالَتْ: يَا نَبِيَّ اللَّهِ بَايِعْنِي. قَالَ: «**لاَ أُبَايِعُكِ حَتَّى تُغَيِّرِي كَفَّيْكِ، فَكَأَنَّهُمَا كَفَّا سَبُعٍ!**».

4166 ـ حدّثنا مُحَمَّدُ بنُ مُحَمَّدٍ الصُّورِيُّ: حدَّثنا خَالِدُ بنُ عَبْدِ الرَّحْمَنِ: حدَّثنا مُطِيعُ بنُ مَيْمُونٍ، عن صَفِيَّةَ بِنْتِ عِصْمَةَ، عن عَائِشَةَ رضي اللَّهُ عنها قَالَتْ: أَوْمَأَتِ امْرَأَةٌ مِنْ وَرَاءِ سِتْرٍ بِيَدِهَا كِتَابٌ إِلَى رَسُولِ اللَّهِ ﷺ، فَقَبَضَ النَّبِيُّ ﷺ يَدَهُ فَقَالَ: «**مَا أَدْرِي أَيَدُ رَجُلٍ، أَمْ يَدُ امْرَأَةٍ**» قَالَتْ: بَلِ امْرَأَةٌ. قالَ: «**لَوْ كُنْتِ امْرَأَةً، لَغَيَّرْتِ أَظْفَارَكِ**» ـ يَعْنِي بِالْحِنَّاءِ ـ.

[ت5/م5] ـ بابٌ في صِلَةِ الشَّعرِ

4167 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ، عن مَالِكٍ، عن ابنِ شِهَابٍ، عن حُمَيْدِ بنِ عَبْدِ الرَّحْمَنِ: أَنَّهُ سَمِعَ مُعَاوِيَةَ بنَ أَبِي سُفْيَانَ ـ عَامَ حَجَّ ـ وَهُوَ عَلَى الْمِنْبَرِ، وَتَنَاوَلَ قُصَّةً مِنْ شَعَرٍ كَانَتْ فِي يَدِ حَرَسِيٍّ يَقُولُ: يَا أَهْلَ الْمَدِينَةِ أَيْنَ عُلَمَاؤُكُمْ، سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَنْهَى عَنْ مِثْلِ هَذِهِ وَيَقُولُ: «**إِنَّمَا هَلَكَتْ بَنُو إِسْرَائِيلَ حِينَ اتَّخَذَ هَذِهِ نِسَاؤُهُمْ**».

4168 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ وَمُسَدَّدٌ قالاَ: حدَّثنا يَحْيَى، عن عُبَيْدِ اللَّهِ قال: حدَّثني نَافِعٌ، عن عَبْدِ اللَّهِ قالَ: «لَعَنَ رَسُولُ اللَّهِ ﷺ الْوَاصِلَةَ وَالْمُسْتَوْصِلَةَ، وَالْوَاشِمَةَ وَالْمُسْتَوْشِمَةَ».

4169 ـ حدّثنا مُحَمَّدُ بنُ عِيسَى وَعُثْمَانُ بنُ أَبِي شَيْبَةَ، المَعْنَى، قالاَ: حدَّثنا جَرِيرٌ، عَنْ مَنْصُورٍ، عن إِبْرَاهِيمَ، عن عَلْقَمَةَ، عن عَبْدِ اللَّهِ أَنَّهُ قَالَ: «لَعَنَ اللَّهُ الْوَاشِمَاتِ وَالْمُسْتَوْشِمَاتِ ـ قال مُحَمَّدٌ: وَالْوَاصِلاَتِ، وَقَالَ عُثْمَانُ: وَالْمُتَنَمِّصَاتِ، ثُمَّ اتَّفَقَا ـ وَالْمُتَفَلِّجَاتِ لِلْحُسْنِ، الْمُغَيِّرَاتِ خَلْقَ اللَّهِ.

قالَ: فَبَلَغَ ذَلِكَ امْرَأَةً مِنْ بَنِي أَسَدٍ يُقَالُ لَهَا: أُمُّ يَعْقُوبَ ـ زَادَ عُثْمَانُ: كَانَتْ تَقْرَأُ

order to be more beautiful whereby they change Allah's creation." His saying reached a lady from Banu Asad called Umm Ya'qub and she used to recite the Qur'an. She came and said (to Abdullah): "I have come to know that you have cursed such-and-such (ladies)." He replied: "Why should I not curse those whom The Messenger of Allah "Allah's blessing and peace be upon him" had cursed and who are cursed in Allah's Book!" Umm Ya'qub said: "I read the whole Qur'an, but I did find in it nothing of what you say." He said: "No doubt, had you read it (The Holy Qur'an), you would have found it. Didn't you read: 'Take what the Messenger assigns to you, and deny yourselves that which he withholds from you'?" She said: "But I see your wife doing these things." He said: "Go and watch her." She went and watched her and returned and said to him: "I saw nothing of that." On that he said: "Had my wife been as you thought, I would not have kept her in my company."

4170- It is narrated on the authority of Abdullah Ibn Abbas that he said: The curse has been sent upon such as lengthens the forelocks with the help of false hair, as well as such as gets her forelocks lengthened with the help of false hair; such as practices tattooing, as well as such as gets herself tattooed; and such as removes the hair of the face, as well as such as gets the hair of her face removed, with no medical necessity.

4171- It is narrated on the authority of Sa'id Ibn Jubair that he said: There is no harm for a woman to make her hair seem more with the help of wool or hair (provided that it should not belong to human beings).

Abu Dawud says: It seems from his statement that he is of the opinion that the forbiddance is restricted to using the women's hair to lengthen one's hair.

Abu Dawud says: I heard Ahmad Ibn Hanbal having said: "There is no harm for a woman to make her hair seem more with the help of wool or hair (provided that it should not belong to human beings)."

[6] What About Rejecting The Gifts Of Perfume?

4172- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "He, to whom perfume is offered (as a gift), let not him reject it, for it is good-smelling, too easy to load."

[7] What About The Woman's Applying Perfume For Coming Out?

4173- It is narrated on the authority of Abu Musa that the Messenger of Allah "Allah's blessing and peace be upon him" said: "When a woman

الْقُرْآنَ، ثُمَّ اتَّفَقَا ـ فَأَتَتْهُ فَقَالَتْ: بَلَغَنِي عَنْكَ أَنَّكَ لَعَنْتَ الْوَاشِمَاتِ وَالْمُسْتَوْشِمَاتِ ـ قالَ مُحَمَّدٌ: وَالْوَاصِلاَتِ. قالَ عُثْمَانُ: وَالْمُتَنَمِّصَاتِ، ثُمَّ اتَّفَقَا ـ وَالْمُتَفَلِّجَاتِ. قالَ عُثْمَانُ: لِلْحُسْنِ، الْمُغَيِّرَاتِ خَلْقَ اللَّهِ. فقال: وَمَا لِي لاَ أَلْعَنُ مَنْ لَعَنَ رَسُولُ اللَّهِ ﷺ، وَهُوَ فِي كِتَابِ اللَّهِ تَعالَى. قَالَتْ: لَقَدْ قَرَأْتُ مَا بَيْنَ لَوحَي الْمُصْحَفِ فَمَا وَجَدْتُهُ، فَقَالَ: وَاللَّهِ لَئِنْ كُنْتِ قَرَأْتِيهِ لَقَدْ وَجَدْتِيهِ، ثُمَّ قَرَأَ: ﴿وَمَآ ءَاتَىٰكُمُ ٱلرَّسُولُ فَخُذُوهُ وَمَا نَهَىٰكُمْ عَنْهُ فَٱنتَهُوا۟﴾ [الحشر: 7] قالَتْ: إِنِّي أَرَى بَعْضَ هَذَا عَلَى امْرَأَتِكَ، قالَ: فادْخُلِي فَانْظُرِي، فَدَخَلَتْ ثُمَّ خَرَجَتْ فَقَالَ: مَا رَأَيْتِ؟ وقَالَ عُثْمَانُ: فَقَالَتْ: مَا رَأَيْتُ، فَقَالَ: لَوْ كَانَ ذَلِكَ مَا كَانَتْ مَعَنَا».

4170 ـ حدّثنا ابنُ السَّرْحِ: حدَّثنا ابنُ وَهْبٍ، عن أُسَامَةَ، عن أَبَانَ بنِ صَالِحٍ، عن مُجَاهِدِ بنِ جَبْرٍ، عن ابنِ عَبَّاسٍ قالَ: «لُعِنَتِ الْوَاصِلَةُ وَالْمُسْتَوْصِلَةُ، وَالنَّامِصَةُ وَالْمُتَنَمِّصَةُ، وَالْوَاشِمَةُ وَالْمُسْتَوْشِمَةُ، مِنْ غَيْرِ دَاءٍ».

قال أَبُو دَاوُدَ: «وَتَفْسِيرُ الْوَاصِلَةِ: الَّتِي تَصِلُ الشَّعَرَ بِشَعَرِ النِّسَاءِ. وَالْمُسْتَوْصِلَةُ: الْمَعْمُولُ بِهَا. وَالنَّامِصَةُ: الَّتِي تَنْقُشُ الْحَاجِبَ، حَتَّى تُرِقَّهُ. وَالْمُتَنَمِّصَةُ: الْمَعْمُولُ بِهَا. وَالْوَاشِمَةُ: الَّتِي تَجْعَلُ الْخِيلاَنَ فِي وَجْهِهَا بِكُحْلٍ أَوْ مِدَادٍ. وَالْمُسْتَوْشِمَةُ: الْمَعْمُولُ بِهَا».

4171 ـ حدّثنا مُحَمَّدُ بنُ جَعْفَرِ بنِ زِيَادٍ قال: حدَّثنا شَرِيكٌ، عن سَالِمٍ، عن سَعِيدِ بنِ جُبَيْرٍ قال: «لاَ بَأْسَ بِالْقَرَامِلِ».

قال أَبُو دَاوُدَ: كَأَنَّهُ يَذْهَبُ أَنَّ الْمَنْهِيَّ عَنْهُ شُعُورُ النِّسَاءِ.

قال أَبُو دَاوُدَ: كَانَ أَحْمَدُ يَقُولُ: الْقَرَامِلُ لَيْسَ بِهِ بَأْسٌ.

[ت6/م6] ـ بابٌ في رَدِّ الطِّيبِ

4172 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ وَهَارُونُ بنُ عَبْدِ اللَّهِ، الْمَعْنَى، أَنَّ أَبَا عَبْدِ الرَّحْمَنِ الْمُقْرِي حَدَّثَهُمْ، عن سَعِيدِ بنِ أَبِي أَيُّوبَ، عن عُبَيْدِ اللَّهِ بنِ أَبِي جَعْفَرٍ، عن الأَعْرَجِ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ عُرِضَ عَلَيْهِ طِيبٌ، فَلاَ يَرُدَّهُ، فَإِنَّهُ طَيِّبُ الرِّيحِ خَفِيفُ الْمَحْمَلِ»**.

[ت7/م7] ـ بابُ ما جاءَ في الْمَرْأَةِ تَتَطَيَّبُ لِلْخُرُوجِ

4173 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى: أخبرنا ثَابِتُ بنُ عُمَارَةَ قالَ: حَدَّثَنِي غُنَيْمُ بنُ قَيْسٍ، عن أَبِي مُوسَى، عن النَّبِيِّ ﷺ قالَ: **«إِذَا اسْتَعْطَرَتِ الْمَرْأَةُ، فَمَرَّتْ**

applies perfume and then sets out and comes upon a people who detect its smell in her, she is such and such (evil)." He spoke about her harshly.

4174- It is narrated on the authority of Abu Hurairah that a woman met him, in whom he detected the scent of perfume, and it was so much odorous, and the (dust raised by the) tail of her garment was fragrant. He asked her: "O Mother of Jabbar! Have you come from the mosque?" she answered in the affirmative. He asked: "Have you applied perfume for that?" she answered in the affirmative. On that he said: I heard my beloved one, Abu Al-Qasim (the Messenger of Allah "Allah's blessing and peace be upon him") having said: "No prayer will be accepted from a woman who applies perfume for the purpose of going to this mosque unless she returns and takes bath like that which she takes to get clean from the ceremonial impurity."

4175- It is narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Let no woman, who applies aromatic incense to her body attend the Isha prayer with us (in the mosque)."

[8] What About Scent For Men?

4176- It is narrated on the authority of Ammar Ibn Yasir that he said: I visited my family at night, and (the skin of) my hand was cleft, thereupon they scented me with saffron, and in the morning, I went to the Messenger of Allah "Allah's blessing and peace be upon him", and saluted him with peace, but he did not reply to me, nor did he bid welcome to me, and said: "Go and wash your hand off this (saffron)!" I went and washed it, and returned, with its traces still on my hand. I saluted him, but he gave no reply, nor did he bid welcome to me, and said: "Go and wash your hand off (the traces of) this!" I went and washed it off, and then returned, and saluted him. He returned the salutation to me, and bid welcome to me and said: "No doubt, the angels never attend the funeral of an infidel, nor (they come in a place where there is) such as scented with saffron, or such as in a state of ceremonial impurity." However, such as in the state of ceremonial impurity was given concession to perform ablution when he intends to sleep, eat or drink.

4177- It is narrated on the authority of Ammar Ibn Yasir that he said: Once, I was scented...and the remaining portion of the story is the same, even though the previous narration is more perfect. In this narration he (the sub-narrator) said: I asked Umar: "Were they in the state of Ihram?" he said: "No, they were residents in their dwelling places."

عَلَى الْقَوْمِ لِيَجِدُوا رِيحَهَا، فَهِيَ كَذَا وَكَذَا» قَالَ قَوْلاً شَدِيدًا.

4174 ـ حدّثنا مُحَمَّدُ بنُ كَثِيرٍ: أخبرنا سُفْيَانُ، عن عَاصِمِ بنِ عُبَيْدِ اللَّهِ، عن عُبَيْدِ اللَّه مَوْلَى أَبِي رُهْمٍ، عن أَبِي هُرَيْرَةَ قالَ: لَقِيَتْهُ امْرَأَةٌ وَجَدَ مِنْهَا رِيحَ الطِّيبِ يَنْفَحُ، وَلِذَيْلِهَا إِعْصَارٌ، فَقَالَ: يَا أَمَةَ الْجَبَّارِ، جِئْتِ مِنَ الْمَسْجِدِ؟ قالَتْ: نَعَمْ، قالَ: وَلَهُ تَطَيَّبْتِ؟ قالَتْ: نَعَمْ، قالَ: إِنِّي سَمِعْتُ حِبِّي أَبَا الْقَاسِمِ ﷺ يَقُولُ: **«لاَ تُقْبَلُ صَلاَةٌ لامْرَأَةٍ تَطَيَّبَتْ لِهَذَا الْمَسْجِدِ، حَتَّى تَرْجِعَ فَتَغْتَسِلَ غُسْلَهَا مِنَ الْجَنَابَةِ»**.

قال أَبُو دَاوُدَ: الإِعْصَارُ غُبَارٌ.

4175 ـ حدّثنا النُّفَيْلِيُّ وَسَعِيدُ بنُ مَنْصُورٍ قالاَ: حدَّثنا عَبْدُ اللَّهِ بنُ مُحَمَّدٍ أَبُو عَلْقَمَةَ قالَ: حَدَّثني يَزِيدُ بنُ خُصَيْفَةَ، عن بُسْرِ بنِ سَعِيدٍ، عن أَبِي هُرَيْرَةَ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«أَيُّمَا امْرَأَةٍ أَصَابَتْ بَخُورًا، فَلاَ تَشْهَدَنَّ مَعَنَا الْعِشَاءَ»**. قالَ ابنُ نُفَيْلٍ: **«الآخِرَةَ»**.

[ت8/م8] ـ بابٌ في الخَلُوقِ للرِّجالِ

4176 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدّثنا حَمَّادٌ: أخبرنا عَطَاءٌ الْخُرَاسَانِيُّ، عَنْ يَحْيَى بنِ يَعْمَرَ، عن عَمَّارِ بنِ يَاسِرٍ قالَ: قَدِمْتُ عَلَى أَهْلِي لَيْلاً وَقَدْ تَشَقَّقَتْ يَدَايَ، فَخَلَّقُونِي بِزَعْفَرَانٍ. فَغَدَوْتُ عَلَى النَّبِيِّ ﷺ فَسَلَّمْتُ عَلَيْهِ، فَلَمْ يَرُدَّ عَلَيَّ وَلَمْ يُرَحِّبْ بِي، وَقَالَ: **«اذْهَبْ فَاغْسِلْ هَذَا عَنْكَ»**. فَذَهَبْتُ فَغَسَلْتُهُ ثُمَّ جِئْتُ، وَقَدْ بَقِيَ عَلَيَّ مِنْهُ رَدْعٌ، فَسَلَّمْتُ فَلَمْ يَرُدَّ عَلَيَّ وَلَمْ يُرَحِّبْ بِي، وَقَالَ: **«اذْهَبْ فَاغْسِلْ هَذَا عَنْكَ»**، فَذَهَبْتُ فَغَسَلْتُهُ، ثُمَّ جِئْتُ فَسَلَّمْتُ عَلَيْهِ، فَرَدَّ عَلَيَّ وَرَحَّبَ بِي، وَقَالَ: **«إِنَّ الْمَلاَئِكَةَ لاَ تَحْضُرُ جَنَازَةَ الْكَافِرِ بِخَيْرٍ، وَلاَ الْمُتَضَمِّخَ بِالزَّعْفَرَانِ، وَلاَ الْجُنُبَ»**، وَرَخَّصَ لِلْجُنُبِ إِذَا نَامَ أَوْ أَكَلَ أَوْ شَرِبَ أَنْ يَتَوَضَّأَ.

4177 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ: حدّثنا مُحَمَّدُ بنُ بَكْرٍ: أخبرنا ابنُ جُرَيْجٍ: أخبرنا عُمَرُ بنُ عَطَاءِ بنُ أَبِي الْخُوَارِ: أَنَّهُ سَمِعَ يَحْيَى بنَ يَعْمَرَ يُخْبِرُ عن رَجُلٍ أَخْبَرَهُ عن عَمَّارِ بنِ يَاسِرٍ ـ زَعَمَ عُمَرُ أَنَّ يَحْيَى سَمَّى ذَلِكَ الرَّجُلَ فَنَسِيَ عُمَرُ اسْمَهُ ـ أَنَّ عَمَّارًا قالَ: تَخَلَّقْتُ، بِهَذِهِ الْقِصَّةِ، وَالأَوَّلُ أَتَمُّ بِكَثِيرٍ فِيهِ ذَكَرَ الْغَسْلَ، قالَ: قُلْتُ لِعُمَرَ: وَهُمْ حُرُمٌ؟ قالَ: لاَ، الْقَوْمُ مُقِيمُونَ.

4178- It is narrated on the authority of Abu Musa that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Allah never accepts the prayer of such of men as has any remaining traces of saffron in his body."

4179- It is narrated on the authority of Anas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade that a man should apply saffron to his body.

4180- It is narrated on the authority of Ammar Ibn Yasir that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The angels never approach three (things): the carcass of an infidel, such as scented with saffron, and such as in the state of ceremonial impurity unless he performs ablution."

4181- It is narrated on the authority of Al-Walid Ibn Uqbah that he said: When the Messenger of Allah "Allah's blessing and peace be upon him" conquered Mecca, the inhabitants of Mecca went to him with their children, so that he would invoke Allah's Blessing upon them, and pass his hand over their heads. I was brought to him while being scented with saffron, but he did not touch my body on account of that saffron.

4182- It is narrated on the authority of Anas Ibn Malik that he said: A man entered upon the Messenger of Allah "Allah's blessing and peace be upon him", and he had the traces of yellowish discharge on his body; and the Messenger of Allah "Allah's blessing and peace be upon him" hardly criticized anyone openly with what he disliked. When the man came out, the Messenger of Allah "Allah's blessing and peace be upon him" said: "Would that you tell this (man) to wash his body off (the traces of) this (yellowish discharge)!"

[9] What About The Hair?

4183- It is narrated on the authority of Al-Bara' that he said: I've never seen a man with a forelock (long enough to reach the area between the earlobes and the shoulders), more good looking than the Messenger of Allah "Allah's blessing and peace be upon him" while combing his hair, and dressed in a cloak having red lines.

4184- It is narrated on the authority of Al-Bara' Ibn Azib that he said: The Messenger of Allah "Allah's blessing and peace be upon him" had his hair too long to reach the earlobe.

4178 ـ حدّثنا زُهَيْرُ بنُ حَرْبٍ الأَسَدِيُّ: حدَّثنا مُحَمَّدُ بنُ عَبْدِ اللَّهِ بنِ حَرْبٍ الأَسَدِيُّ: حدَّثنا أَبُو جَعْفَرٍ الرَّازِيُّ، عن الرَّبِيعِ بنِ أَنَسٍ، عن جَدَّيْهِ قالاَ: سَمِعْنَا أَبَا مُوسَى يَقُولُ: قالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَقْبَلُ اللَّهُ تعالى صَلاَةَ رَجُلٍ فِي جَسَدِهِ شَيْءٌ مِنْ خَلُوقٍ**».

قال أَبُو دَاوُدَ: جَدَّاهُ زَيْدٌ وَزِيادٌ.

4179 ـ حدّثنا مُسَدَّدٌ: أَنَّ حَمَّادَ بنَ زَيْدٍ وَإِسْمَاعِيلَ بنَ إِبْرَاهِيمَ حَدَّثَاهُمْ، عَنْ عَبْدِ الْعَزِيزِ بنِ صُهَيْبٍ، عنْ أَنَسٍ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ عَنِ التَّزَعْفُرِ لِلرِّجَالِ»، وَقَالَ عنْ إِسْمَاعِيلَ: «أَنْ يَتَزَعْفَرَ الرَّجُلُ».

4180 ـ حدّثنا هَارُونُ بنُ عَبْدِ اللَّهِ: حدَّثنا عَبْدُ الْعَزِيزِ بنُ عَبْدِ اللَّهِ الأُوَيْسِي: حدَّثنا سُلَيْمَانُ بنُ بِلاَلٍ، عنْ ثَوْرِ بنِ زَيْدٍ، عن الْحَسَنِ بنِ أَبِي الْحَسَنِ، عنْ عَمَّارِ بنِ يَاسِرٍ: أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**ثَلاَثَةٌ لاَ تَقْرَبُهُمُ الْمَلاَئِكَةُ: جِيفَةُ الْكَافِرِ، وَالْمُتَضَمِّخُ بِالْخَلُوقِ، وَالْجُنُبُ إِلاَّ أَنْ يَتَوَضَّأَ**».

4181 ـ حدّثنا أَيُّوبُ بنُ مُحَمَّدٍ الرَّقِّيُّ: حدَّثنا عُمَرُ بنُ أَيُّوبَ، عنْ جَعْفَرِ بنِ بُرْقَانَ، عنْ ثَابِتِ بنِ الْحَجَّاجِ، عنْ عَبْدِ اللَّهِ الْهَمْدَانِيِّ، عَنِ الْوَلِيدِ بنِ عُقْبَةَ قالَ: «لَمَّا فَتَحَ نَبِيُّ اللَّهِ ﷺ مَكَّةَ، جَعَلَ أَهْلُ مَكَّةَ يَأْتُونَهُ بِصِبْيَانِهِمْ، فَيَدْعُو لَهُمْ بالْبَرَكَةِ وَيَمْسَحُ رُؤُوسَهُمْ. قالَ: فَجِيءَ بِي إِلَيْهِ وَأَنَا مُخَلَّقٌ، فَلَمْ يَمَسَّنِي مِنْ أَجْلِ الْخَلُوقِ».

4182 ـ حدّثنا عُبَيْدُ اللَّهِ بنُ عُمَرَ بنِ مَيْسَرَةَ: حدَّثنا حَمَّادُ بنُ زَيْدٍ: حدَّثنا سَلْمٌ الْعَلَوِيُّ، عنْ أَنَسِ بنِ مَالِكٍ: أَنَّ رَجُلاً دَخَلَ عَلَى رَسُولِ اللَّهِ ﷺ وَعَلَيْهِ أَثَرُ صُفْرَةٍ، وَكَانَ رَسُولُ اللَّهِ ﷺ قَلَّ مَا يُوَاجِهُ رَجُلاً فِي وَجْهِهِ بِشَيْءٍ يَكْرَهُهُ، فَلَمَّا خَرَجَ قَالَ: «**لَوْ أَمَرْتُمْ هَذَا أَنْ يَغْسِلَ هَذَا عَنْهُ**».

[ت9/م9] ـ بابُ ما جاءَ في الشَّعَرِ

4183 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ وَمُحَمَّدُ بنُ سُلَيْمَانَ الأَنْبَارِيُّ قالاَ: حدَّثنا وَكِيعٌ، عَنْ سُفْيَانَ، عنْ أَبِي إِسْحَاقَ، عن الْبَرَاءِ قالَ: «مَا رَأَيْتُ مِنْ ذِي لِمَّةٍ أَحْسَنَ فِي حُلَّةٍ حَمْرَاءَ مِنْ رَسُولِ اللَّهِ ﷺ». زَادَ مُحَمَّدُ بنُ سُلَيْمَانَ: «لَهُ شَعَرٌ يَضْرِبُ مَنْكِبَيْهِ».

قال أَبُو دَاوُدَ: كَذَا رَوَاهُ إِسْرَائِيلُ، عنْ أَبِي إِسْحَاقَ: يَضْرِبُ مَنْكِبَيْهِ، وَقَالَ شُعْبَةُ: «يَبْلُغُ شَحْمَةَ أُذُنَيْهِ».

قال أَبُو دَاوُدَ: وَهِمَ شُعْبَةُ فِيهِ.

4184 ـ حدّثنا حَفْصُ بنُ عُمَرَ: حدَّثنا شُعْبَةُ، عن أَبِي إِسْحَاقَ، عن الْبَرَاءِ قَالَ: «كَانَ رَسُولُ اللَّهِ ﷺ لَهُ شَعَرٌ يَبْلُغُ شَحْمَةَ أُذُنَيْهِ».

4185- It is narrated on the authority of Anas that he said: The hair of the Messenger of Allah "Allah's blessing and peace be upon him" was too long to reach his earlobes.

4186- It is narrated on the authority of Anas Ibn Malik that he said: The hair of the Messenger of Allah "Allah's blessing and peace be upon him" was too long to reach the middle of his ears.

4187- It is narrated on the authority of A'ishah that she said: The hair of the Messenger of Allah "Allah's blessing and peace be upon him" was long enough to hang down the earlobes, but not too long to fall on the shoulders.

[10] What About Parting The Hair?

4188- It is narrated on the authority of Ibn Abbas that he said: The people of Scripture used to let their hair hang down, and the pagans used to part their hair; and the Messenger of Allah "Allah's blessing and peace be upon him" was inclined to agree with the people of Scriptures in the matters about which he was not instructed otherwise. For this reason, the Messenger of Allah "Allah's blessing and peace be upon him" at first let his hair hang down, and later on he parted it.

4189- It is narrated on the authority of A'ishah that she said: Whenever I intended to part the hair of the Messenger of Allah "Allah's blessing and peace be upon him", I would make the split on the back of his head, and let (the hair of) his forelock hang down in between his eyes.

[11] What About Lengthening The Hair?

4190- It is narrated on the authority of Wa'il Ibn Hujr that he said: Once, I went to the Messenger of Allah "Allah's blessing and peace be upon him" and I had a very long forelock. Then he said: "How long is that forelock! How long is that forelock!" I went and cut it short. In the coming morning, I went to the Messenger of Allah "Allah's blessing and peace be upon him" and he said: "I've not meant you (should cut short your forelock), even though this (which you've done) is better."

[12] What About The Braids For Men?

4191- It is narrated on the authority of Umm Hani' that she said: When the Messenger of Allah "Allah's blessing and peace be upon him" came to Mecca, he had four braids.

[13] What About Shaving The Head?

4192- It is narrated on the authority of Abdullah Ibn Ja'far that the Messenger of Allah "Allah's blessing and peace be upon him" notified the

4185 ـ حدّثنا مَخْلَدُ بنُ خَالِدٍ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ، عن ثَابِتٍ، عنْ أَنَسٍ قالَ: «كَانَ شَعَرُ رَسُولِ اللَّهِ ﷺ إِلَى شَحْمَةِ أُذُنَيْهِ».

4186 ـ حدّثنا مُسَدَّدٌ: حدَّثنا إِسْمَاعِيلُ: حدَّثنا حُمَيْدٌ، عنْ أَنَسِ بنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ قالَ: «كَانَ شَعَرُ رَسُولِ اللَّهِ ﷺ إِلَى أَنْصافِ أُذُنَيْهِ».

4187 ـ حدّثنا ابنُ نُفَيْلٍ: حدَّثنا عَبْدُ الرَّحْمَنِ بنُ أَبِي الزِّنَادِ، عنْ هِشَامِ بنِ عُرْوَةَ، عنْ أَبِيهِ، عَنْ عَائِشَةَ قالَتْ: «كَانَ شَعَرُ رَسُولِ اللَّهِ ﷺ فَوْقَ الْوَفْرَةِ، وَدُونَ الْجُمَّةِ».

[ت10/م10] ـ بابٌ ما جاءَ في الفَرْقِ

4188 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا إِبْرَاهِيمُ بنُ سَعْدٍ: أَخبرني ابنُ شِهَابٍ، عنْ عُبَيْدِ اللَّهِ بنِ عَبْدِ اللَّهِ بنِ عُتْبَةَ، عن ابنِ عَبَّاسٍ قالَ: «كَانَ أَهْلُ الْكِتَابِ ـ يَعْنِي ـ يَسْدُلُونَ أَشْعَارَهُمْ، وَكَانَ الْمُشْرِكُونَ يَفْرِقُونَ رُؤُوسَهُمْ، وَكَانَ رَسُولُ اللَّهِ ﷺ تُعْجِبُهُ مُوَافَقَةُ أَهْلِ الْكِتَابِ فِيمَا لَمْ يُؤْمَرْ بِهِ، فَسَدَلَ رَسُولُ اللَّهِ ﷺ نَاصِيَتَهُ، ثُمَّ فَرَقَ بَعْدُ».

4189 ـ حدّثنا يَحْيَى بنُ خَلَفٍ: حدَّثنا عَبْدُ الأَعْلَى، عنْ مُحَمَّدٍ ـ يَعْنِي ابنَ إِسْحَاقَ ـ، قالَ: حدَّثني مُحَمَّدُ بنُ جَعْفَرِ بنِ الزُّبَيْرِ، عنْ عُرْوَةَ، عنْ عَائِشَةَ قَالَتْ: «كُنْتُ إِذَا أَرَدْتُ أَنْ أَفْرِقَ رَأْسَ رَسُولِ اللَّهِ ﷺ صَدَعْتُ الْفَرْقَ مِنْ يَافُوخِهِ، وَأُرْسِلُ نَاصِيَتَهُ بَيْنَ عَيْنَيْهِ».

[ت11/م11] ـ بابٌ في تَطْوِيلِ الجُمَّةِ

4190 ـ حدّثنا مُحَمَّدُ بنُ الْعَلَاءِ: حدَّثنا مُعَاوِيَةُ بنُ هِشَامٍ وَسُفْيَانُ بنُ عُقْبَةَ السُّوَائِيُّ هُوَ أَخو قَبِيصَةَ وَحُمَيْدُ بنُ خُوَارٍ، عَنْ سُفْيَانَ الثَّوْرِيِّ، عن عَاصِمِ بنِ كُلَيْبٍ، عنْ أَبِيهِ، عنْ وَائِلِ بنِ حُجْرٍ قالَ: أَتَيْتُ النَّبِيَّ ﷺ وَلِي شَعَرٌ طَوِيلٌ. فَلَمَّا رَآنِي رَسُولُ اللَّهِ ﷺ، قَالَ: **«ذُبَابٌ ذُبَابٌ»** قالَ: فَرَجَعْتُ فَجَزَزْتُهُ، ثُمَّ أَتَيْتُهُ مِنَ الْغَدِ، فَقَالَ: **«إِنِّي لَمْ أَعْنِكَ وَهَذَا أَحْسَنُ»**.

[ت12/م12] ـ بابٌ في الرَّجُلِ يَعْقِصُ شَعْرَهُ

4191 ـ حدّثنا النُّفَيْلِيُّ: حدَّثنا سُفْيَانُ، عن ابنِ أَبِي نَجِيحٍ، عنْ مُجَاهِدٍ قالَ: قالَتْ أُمُّ هَانِيءٍ: «قَدِمَ النَّبِيُّ ﷺ إِلَى مَكَّةَ وَلَهُ أَرْبَعُ غَدَائِرَ» تَعْنِي عَقَائِصَ.

[ت13/م13] ـ بابٌ في حَلْقِ الرَّأْسِ

4192 ـ حدّثنا عُقْبَةُ بنُ مُكْرَمٍ وَابْنُ الْمُثَنَّى قَالاَ: حدَّثنا وَهْبُ بنُ جَرِيرٍ: حدَّثنا أَبِي قَالَ: سَمِعْتُ مُحَمَّدَ بنَ أَبِي يَعْقُوبَ يُحَدِّثُ، عَنْ الْحَسَنِ بنِ سَعْدٍ، عَنْ عَبْدِ اللَّهِ بنِ

family of Ja'far that he would come to visit them after three days. He visited them (in the due time) and said to them: “Weep no more for my brother (Ja'far) after this day.” Then he said: “Call the children of my brother (Ja'far) to me.” We were brought to him as if we were young birds, and he said: “Call a shaver to me.” He ordered him to shave our heads.

[14] What About The Tuft Of Hair?

4193- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade to shave the head, leaving a tuft of hair here and a tuft of hair there.

4194- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" forbade to shave the head, leaving a tuft of hair.

4195- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" saw a boy, having some of his hair shaved, and some left, thereupon he forbade that and said: “You should either shave all of it, or leave all of it.”

[15] The Concession Pertaining To That

4196- It is narrated on the authority of Anas Ibn Malik that he said: I had a tuft of hair, thereupon my mother said to me: “Do not shave it, for the Messenger of Allah "Allah's blessing and peace be upon him" used to lengthen it, and take (his children with whom he was playing) by it.”

4197- It is narrated on the authority of Al-Hajjaj Ibn Hassan that he said: We visited Anas Ibn Malik, and my brother Al-Mughirah said to me: “On that day, you were still a boy, having two bunches or forelocks of hair, thereupon he (the Prophet) passed his hand over your head, and invoked blessing upon you, and then said: “Shave or cut those (bunches), for this is out of the Jewish customs.”

[16] What About Trimming The Mustache?

4198- It is narrated on the authority of Abu Hurairah, tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him", that he said: “Five characteristics belong to the true nature (on which mankind has been created): circumcision, shaving the hair of the pubic area with the help of a razor, depilating the hair of the armpits, trimming the nails, and cutting short the mustache.”

4199- It is narrated on the authority of Abdullah Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" ordered

جَعْفَرٍ: «أَنَّ النَّبِيَّ ﷺ أَمْهَلَ آلَ جَعْفَرٍ ثَلاَثًا أَنْ يَأْتِيَهُمْ، ثُمَّ أَتَاهُمْ فَقَالَ: «**لاَ تَبْكُوا عَلَى أَخِي بَعْدَ الْيَوْمِ**»، ثُمَّ قَالَ: «**ادْعُوا لَي بَنِي أَخِي**»، فَجِيءَ بِنَا كَأَنَّا أَفْرُخٌ، فَقَالَ: «**ادْعُوا لِيَ الْحَلاَّقَ**»، فَأَمَرَهُ فَحَلَقَ رُؤُوسَنَا».

[ت14/ م14] ـ بابٌ في الذُّؤَابَةِ

4193 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ قالَ: حدَّثنا عُثْمَانَ بنُ عُثْمَانَ ـ قالَ أَحْمَدُ: كَانَ رَجُلاً صَالِحًا ـ قَالَ: أخبرنا عُمَرُ بنُ نَافِعٍ، عَنْ أَبِيهِ، عنْ ابنِ عُمَرَ قالَ: «نَهَى رَسُولُ اللَّهِ ﷺ عَنْ الْقَزَعِ»، وَالْقَزَعُ: أَنْ يُحْلَقَ رَأْسُ الصَّبِيِّ، فَيُتْرَكَ بَعْضُ شَعْرِهِ.

4194 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا حَمَّادٌ: أخبرنا أَيُّوبُ، عنْ نَافِعٍ، عن ابنِ عُمَرَ: «أَنَّ النَّبِيَّ ﷺ نَهى عنِ الْقَزَعِ، وَهُوَ أَنْ يُحْلَقَ رَأْسُ الصَّبيِّ، فَتُتْرَكُ لَهُ ذُؤَابَةٌ».

4195 ـ حدّثنا أَحْمَدُ بنُ حَنْبَلٍ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ، عنْ أَيُّوبَ، عنْ نَافِعٍ، عن ابنِ عُمَرَ: أَنَّ النَّبِيَّ ﷺ رَأَى صَبِيًّا قَدْ حُلِقَ بَعْضُ شَعَرِهِ وَتُرِكَ بَعْضُهُ، فَنَهَاهُمْ عَنْ ذَلِكَ، فَقَالَ: «**احْلِقُوهُ كُلَّهُ، أَوِ اتْرُكُوهُ كُلَّهُ**».

[ت15/ م15] ـ بابُ ما جاء فِي الرُّخْصَةِ

4196 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ: حدَّثنا زَيْدُ بنُ الْحُبَابِ، عنْ مَيْمُونِ بنِ عَبْدِ اللَّهِ، عنْ ثَابِتٍ الْبُنَانِيِّ، عنْ أَنَسِ بنِ مَالِكٍ قالَ: «كَانَتْ لِي ذُؤَابَةٌ فَقَالَتْ لِي أُمِّي: لاَ أَجُزُّهَا، كَانَ رَسُولُ اللَّهِ ﷺ يَمُدُّهَا وَيَأْخُذُ بِهَا».

4197 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا يَزِيدُ بنُ هَارُونَ: حدَّثنا الْحَجَّاجُ بنُ حَسَّانَ قالَ: دَخَلْنَا عَلَى أَنَسِ بنِ مَالِكٍ، فَحَدَّثَتْنِي أُخْتِي الْمُغِيرَةُ قالَتْ: وَأَنْتَ يَوْمَئِذٍ غُلاَمٌ وَلَكَ قَرْنَانِ أَوْ قُصَّتَانِ، فَمَسَحَ رَأْسَكَ وَبَرَّكَ عَلَيْكَ، وَقَالَ: «احْلِقُوا هَذَيْنِ أَوْ قُصُّوهُمَا، فَإِنَّ هَذَا زِيُّ الْيَهُودِ».

[ت16/ م16] ـ بابٌ في أَخْذِ الشَّارِبِ

4198 ـ حدّثنا مُسَدَّدٌ: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، عن سَعِيدٍ، عن أَبِي هُرَيْرَةَ يَبْلُغُ بِهِ النَّبِيَّ ﷺ: «**الْفِطْرَةُ خَمْسٌ، أَوْ خَمْسٌ مِنَ الْفِطْرَةِ: الْخِتَانُ، وَالاسْتِحْدَادُ، وَنَتْفُ الإِبْطِ، وَتَقْلِيمُ الأَظْفَارِ، وَقَصُّ الشَّارِبِ**».

4199 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ الْقَعْنَبِيُّ، عنْ مَالِكٍ، عن أَبِي بَكْرِ بنِ نَافِعٍ، عن أَبِيهِ، عن عَبْدِ اللَّهِ بنِ عُمَرَ: «أَنَّ رَسُولَ اللَّهِ ﷺ أَمَرَ بِإِحْفَاءِ الشَّوَارِبِ،

(men) to trim the mustaches and leave long the beards (even though not beyond a fist's length).

4200- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" gave us a forty-day time, during which we should shave the hair of the pubic area, trim the nails, cut short the mustaches, and depilate the hair of the armpits once (at least).

Abu Dawud says: The same is narrated on the authority of Anas, and no mention is made of the Messenger of Allah "Allah's blessing and peace be upon him", but he said: "We have been given a forty-day period..." and this narration is more correct.

4201- It is narrated on the authority of Jabir that he said: We used to leave long the beards unless we are going to perform Hajj or Umrah.

[17] What About Depilating The White Hair?

4202- It is narrated on the authority of Amr Ibn Shu'aib from his father from his grandfather that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Depilate not the white hair, for no Muslim receives (any white hair portending) hoary-headedness in Islam but that it will become a light for him on the Day of Judgement (or according to the narration of Yahya but that Allah Almighty will write by it a good deed for him, and remove an evil deed from his account."

[18] What About The Dye?

4203- It is narrated on the authority of Abu Hurairah that he said, tracing it up to the Messenger of Allah "Allah's blessing and peace be upon him": "Both the Jews and the Christians do not dye (their hair): so, behave in opposition to them (and dye your hair)."

4204- It is narrated on the authority of Jabir Ibn Abdullah that he said: On the day of the Conquest (of Mecca), Abu Quhafah (Abu Bakr's father) was brought to the Messenger of Allah "Allah's blessing and peace be upon him", with (the hair of) his head and beard as white as hyssop, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "Change that (whiteness) with any pigment, but avoid blackness."

4205- It is narrated on the authority of Abu Dharr that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "The best thing therewith to change the (colour of the white hair of) hoary - headedness is both henna and Katam (the plant of Wasmah, cultivated in Yemen)."

وَإِعْفَاءِ اللِّحَى».

4200 ـ حدّثنا مُسْلِمُ بنُ إِبْرَاهِيمَ: حدَّثنا صَدَقَةُ الدَّقِيقِيُّ: حدَّثنا أَبُو عِمْرَانَ الْجَوْنِيُّ، عَنْ أَنَسِ بنِ مَالِكٍ قال: «وَقَّتَ لَنَا رَسُولُ اللَّهِ ﷺ حَلْقَ الْعَانَةِ، وَتَقْلِيمَ الأَظْفَارِ، وَقَصَّ الشَّارِبِ، وَنَتْفَ الإِبْطِ، أَرْبَعِينَ يَوْمًا مَرَّةً».

قال أَبُو دَاوُدَ: رَوَاهُ جَعْفَرُ بنُ سُلَيْمَانَ، عن أَبِي عِمْرَانَ، عن أَنَسٍ لَمْ يَذْكُرِ النَّبِيَّ ﷺ، قالَ: «وُقِّتَ لَنَا»، وَهَذَا أَصَحُّ.

4201 ـ حدّثنا ابنُ نُفَيْلٍ: حدَّثنا زُهَيْرٌ، قالَ: قَرَأْتُ عَلَى عَبْدِ المَلِكِ بنِ أَبِي سُلَيْمَانَ، وَقَرَأَهُ عَبْدُ المَلِكِ عَلَى أَبِي الزُّبَيْرِ، وَرَوَاهُ أَبو الزُّبَيْرِ عَنْ جابِرٍ قالَ: «كُنَّا نُعَفِّي السِّبَالَ إِلاَّ فِي حَجٍّ أَوْ عُمْرَةٍ».

قال أَبُو دَاوُدَ: الاسْتِحْدَادُ: حَلْقُ الْعَانَةِ.

[ت17/م17] ـ بابٌ في نَتْفِ الشَّيْبِ

4202 ـ حدّثنا مُسَدَّدٌ: حدَّثنا يَحْيَى. (ح): وحدَّثنا مُسَدَّدٌ قالَ: حدَّثنا سُفْيَانُ، المَعْنَى، عن ابنِ عَجْلاَنَ، عن عَمْرِو بنِ شُعَيْبٍ، عن أَبِيهِ، عن جَدِّهِ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تَنْتِفُوا الشَّيْبَ، مَا مِنْ مُسْلِمٍ يَشِيبُ شَيْبَةً فِي الإِسْلاَمِ»**، قالَ عنْ سُفْيَانَ: **«إِلاَّ كَانَتْ لَهُ نُورًا يَوْمَ الْقِيَامَةِ»**، وَقالَ فِي حَدِيثِ يَحْيَى: **«إِلاَّ كَتَبَ اللَّهُ عَزَّ وَجَلَّ لَهُ بِهَا حَسَنَةً، وَحَطَّ بِهَا عَنْهُ خَطِيئَةً»**.

[ت18/م18] ـ بابٌ في الخِضَابِ

4203 ـ حدّثنا مُسَدَّدٌ: حدَّثنا سُفْيَانُ، عن الزُّهْرِيِّ، عن أَبِي سَلَمَةَ وَسُلَيْمَانَ بنِ يَسَارٍ، عن أَبِي هُرَيْرَةَ يَبْلُغُ بِهِ النَّبِيَّ ﷺ قالَ: **«إِنَّ الْيَهُودَ وَالنَّصَارَى لاَ يَصْبِغُونَ، فَخَالِفُوهُمْ»**.

4204 ـ حدّثنا أَحْمَدُ بنُ عَمْرِو بنِ السَّرْحِ وَأَحْمَدُ بنُ سَعِيدٍ الْهَمْدَانِيُّ، قالاَ: حدثنا ابنُ وَهْبٍ: حدثنا ابنُ جُرَيْجٍ، عن أَبِي الزُّبَيْرِ، عن جَابِرِ بنِ عَبْدِ اللَّهِ قالَ: أُتِيَ بِأَبِي قُحَافَةَ يَوْمَ فَتْحِ مَكَّةَ، وَرَأْسُهُ وَلِحْيَتُهُ كَالثَّغَامَةِ بَيَاضًا، فَقَالَ رَسُولُ اللَّهِ ﷺ: **«غَيِّرُوا هَذَا بِشَيْءٍ، وَاجْتَنِبُوا السَّوَادَ»**.

4205 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا عَبْدُ الرَّزَّاقِ: حدَّثنا مَعْمَرٌ، عن سَعِيدٍ الْجُرَيْرِيِّ، عن عَبْدِ اللَّهِ بنِ بُرَيْدَةَ، عن أَبِي الأَسْوَدِ الدِّيلِيِّ، عن أَبِي ذَرٍّ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ أَحْسَنَ مَا غُيِّرَ بِهِ هَذَا الشَّيْبُ: الْحِنَّاءُ، وَالْكَتَمُ»**.

4206- It is narrated on the authority of Abu Rimthah that he said: I went in the company of my father to the Messenger of Allah "Allah's blessing and peace be upon him", and behold! His hair was long enough to hang down his earlobes, and it was dyed with henna, and he had two green Burdahs over him.

4207- The same story is narrated on the authority of Abu Rimthah in which he said: My father said to the Messenger of Allah "Allah's blessing and peace be upon him": "Show me that which is in your back, for I'm a physician." He said: "It is Allah Who has the medicine: you are but a gentleman, and It is He (Allah), Who has created it."

4208- It is narrated on the authority of Abu Rimthah that he said: I came to the Messenger of Allah "Allah's blessing and peace be upon him" in the company of my father, thereupon he asked a man or my father: "Who is this?" he said: "My son." On that the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Then, do not let your son you're your crime upon himself." He (the Prophet) was dying his beard with henna.

4209- It is narrated on the authority of Thabit that Anas was asked about the dye which the Messenger of Allah "Allah's blessing and peace be upon him" used, thereupon he said: "He used no dye, but it was both Abu Bakr and Umar who applied dye (to their beards)."

[19] What About The Yellowish Pigment?

4210- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" used to wear hairless leather sandals, and yellow his beard with the help of saffron and wars; and Ibn Umar used to do the same.

4211- It is narrated on the authority of Ibn Abbas that he said: A man came upon the Messenger of Allah "Allah's blessing and peace be upon him", and he had dyed his beard with henna, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said: "How nice this is!" another man came upon him, and he had dyed his beard with both henna and Khatm, thereupon he said: "This (latter) is much better than that (former)." A third man came upon him, and he had dyed his beard with the help of yellowish discharge, thereupon he said: "This is the nicest of them all."

[20] What About The Black Dye?

4212- It is narrated on the authority of Ibn Abbas that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said:

4206 ـ حدّثنا أَحْمَدُ بنُ يُونُسَ: حدَّثنا عُبَيْدُ اللَّهِ ـ يَعْنِي ابنَ إِيَادٍ ـ: حدَّثنا إِيَادٌ، عن أَبِي رِمْثَةَ قالَ: «انْطَلَقْتُ مَعَ أَبِي نَحْوَ النَّبِيِّ ﷺ، فَإِذَا هُوَ ذُو وَفْرَةٍ بِهَا رَدْعُ حِنَّاء، وَعَلَيْهِ بُرْدَانِ أَخْضَرَانِ».

4207 ـ حدّثنا مُحَمَّدُ بنُ الْعَلاَءِ: حدَّثنا ابنُ إِدْرِيسَ قالَ: سَمِعْتُ ابنَ أَبْجَرَ، عنْ إِيَادِ بنِ لَقِيطٍ، عنْ أَبِي رِمْثَةَ فِي هَذَا الْخَبَرِ قالَ: فَقَالَ لَهُ أَبِي: أَرِنِي هَذَا الَّذِي بِظَهْرِكَ، فَإِنِّي رَجُلٌ طَبِيبٌ، قالَ: «**اللَّهُ الطَّبِيبُ، بَلْ أَنْتَ رَجُلٌ رَفِيقٌ، طَبِيبُهَا الَّذِي خَلَقَهَا**».

4208 ـ حدّثنا ابنُ بَشَّارٍ: حدَّثنا عَبْدُ الرَّحْمَنِ: حدَّثنا سُفْيَانُ، عنْ إِيَادِ بنِ لَقِيطٍ، عنْ أَبِي رِمْثَةَ رَضِيَ اللَّهُ عَنْهُ قالَ: «أَتَيْتُ النَّبِيَّ ﷺ أَنَا وَأَبِي، فَقَالَ لِرَجُلٍ أَوْ لأَبِيهِ: «**مَنْ هَذَا؟**» قالَ: ابْنِي، قالَ: «**لاَ تَجْنِي عَلَيْهِ**»، وَكَانَ قَدْ لَطَخَ لِحْيَتَهُ بالْحِنَّاءِ».

4209 ـ حدّثنا مُحَمَّدُ بنُ عُبَيْدٍ: حدَّثنا حمَّادٌ، عنْ ثَابِتٍ، عنْ أَنَسٍ: «أَنَّهُ سُئِلَ عنْ خِضَابِ النَّبِيِّ ﷺ، فَذَكَرَ أَنَّهُ لَمْ يَخْضِبْ، وَلَكِنْ قَدْ خَضَبَ أَبُو بَكْرٍ وَعُمَرُ رَضِيَ اللَّهُ عَنْهُمَا».

[ت19/م19] ـ بابُ ما جاء في خِضَابِ الصُّفْرَةِ

4210 ـ حدّثنا عَبْدُ الرَّحِيمِ بنُ مُطَرِّفٍ أَبُو سُفْيَانَ السَّرُوجِيُّ، قالَ: حدَّثنا عَمْرُو بنُ مُحَمَّدٍ: حدَّثنا ابنُ أَبِي رَوَّادٍ، عنْ نَافِعٍ، عن ابنِ عُمَرَ: «أَنَّ النَّبِيَّ ﷺ كَانَ يَلْبَسُ النِّعَالَ السِّبْتِيَّةَ، وَيُصَفِّرُ لِحْيَتَهُ بِالْوَرْسِ وَالزَّعْفَرَانِ. وَكَانَ ابنُ عُمَرَ يَفْعَلُ ذَلِكَ».

4211 ـ حدّثنا عُثْمَانُ بنُ أَبِي شَيْبَةَ: حدَّثنا إِسْحَاقُ بنُ مَنْصُورٍ: حدَّثنا مُحَمَّدُ بنُ طَلْحَةَ، عنْ حُمَيْدِ بنِ وَهْبٍ، عن ابنِ طَاوسٍ، عن طَاوسٍ، عن ابنِ عَبَّاسٍ قالَ: مَرَّ عَلَى النَّبِيِّ ﷺ رَجُلٌ قَدْ خَضَبَ بِالْحِنَّاءِ، فَقَالَ: «**مَا أَحْسَنَ هَذَا!**» قالَ: فَمَرَّ آخَرُ قَدْ خَضَبَ بالْحِنَّاءِ وَالْكَتَمِ، فَقَالَ: «**هَذَا أَحْسَنُ مِنْ هَذَا**»، فَمَرَّ آخَرُ قَدْ خَضَبَ بِالصُّفْرَةِ، فَقَالَ: «**هَذَا أَحْسَنُ مِنْ هَذَا كُلِّهِ**».

[ت20/م20] ـ بابُ ما جاء في خِضَابِ السَّوادِ

4212 ـ حدّثنا أَبُو تَوْبَةَ: حدَّثنا عُبَيْدُ اللَّهِ، عن عَبْدِ الْكَرِيمِ الْجَزَرِيِّ، عنْ سَعِيدِ بنِ جُبَيْرٍ، عن ابنِ عَبَّاسٍ قالَ: قالَ رَسُولُ اللَّهِ ﷺ: «**يَكُونُ قَوْمٌ يَخْضِبُونَ فِي**

"Towards the end of the time, a people will come to dye with black dye, as if they are craws of pigeons: they will not smell the smell of the Garden."

[21] What About Utilizing Ivory?

4213- It is narrated on the authority of Thawban, the freed slave of the Messenger of Allah "Allah's blessing and peace be upon him" that he said: It was the habit of the Messenger of Allah "Allah's blessing and peace be upon him" to have Fatimah (his daughter) the last to see before he would set out on journey, and the first to see on his return. Once, he returned from journey, and Fatimah had hung a curtain on the gate of her house, and adorned both Al-Hasan and Al-Husain with two (necklaces having two) hearts of silver. He came (near the house), but did not enter. She thought that what prevented him from coming in was what he had seen. She tore the curtain and loosened the silver hearts, and cut (the necklace) and gave it to them. They went to the Messenger of Allah "Allah's blessing and peace be upon him" and they were weeping. The Messenger of Allah "Allah's blessing and peace be upon him" took that from them, and gave it to Thawban and said: "O Thawban! Go and give that to the family of such and such a family in Medina, and I dislike that these (the family of Ali and Fatimah) should devour their good things in the world. O Thawban! Buy a collar of Asb and two bracelets of ivory for Fatimah."

آخِرِ الزَّمَانِ بالسَّوَادِ كَحَوَاصِلِ الْحَمَامِ، لاَ يَرِيحُونَ رَائِحَةَ الْجَنَّةِ».

[ت21/م21] ـ بابٌ في الانْتِفَاعِ بالعَاجِ

4213 ـ حدّثنا مُسَدَّدٌ: حدَّثنا عَبْدُ الْوَارِثِ بنُ سَعِيدٍ، عن مُحَمَّدِ بنِ جُحَادَةَ، عنْ حُمَيْدٍ الشَّامِيِّ، عن سُلَيْمَانَ المُنَبِّهِيِّ، عنْ ثَوْبَانَ مَوْلَى رَسُولِ اللَّهِ ﷺ قالَ: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا سَافَر كَانَ آخِرَ عَهْدِهِ بِإِنْسَانٍ مِنْ أَهْلِهِ فَاطِمَةُ، وَأَوَّلَ مَنْ يَدْخلُ عَلَيْهِ إِذَا قَدِمَ فَاطِمَةُ. فَقَدِمَ مِنْ غَزَاةٍ لَهُ، وَقَدْ عَلَّقَتْ مِسْحًا أَوْ سِتْرًا عَلَى بَابِهَا، وَحَلَّتِ الْحَسَنَ وَالْحُسَيْنَ قُلْبَيْنِ مِنْ فِضَّةٍ، فَقَدِمَ فَلَمْ يَدْخلْ، فَظَنَّتْ أَنَّ مَا مَنَعَهُ أَنْ يَدْخلَ مَا رَأَى، فَهَتَكَتِ السِّتْرَ، وَفَكَّكَتْ الْقُلْبَيْنِ عَنْ الصَّبِيَّيْنِ وَقَطَعَتْهُ بَيْنَهُمَا. فَانْطَلَقَا إِلَى رَسُولِ اللَّهِ ﷺ وَهُمَا يَبْكِيَانِ، فَأَخَذَهُ مِنْهُمَا وَقَالَ: **«يَا ثَوْبَانُ، اذْهَبْ بِهَذَا إِلَى آلِ فُلاَنٍ»** ـ أَهْلِ بَيْتٍ بالمدِينَةِ ـ **«إِنَّ هَؤُلاَءِ أَهْلُ بَيْتِي أَكْرَهُ أَنْ يَأْكُلُوا طَيِّبَاتِهِمْ فِي حَيَاتِهِمُ الدُّنْيَا. يَا ثَوْبَانُ، اشْتَرِ لِفَاطِمَةَ قِلاَدَةً مِنْ عَصَبٍ، وَسِوَارَيْنِ مِنْ عَاجٍ»**.

(28/33) THE BOOK OF THE RING

[1] What About Getting A Signet Ring?

4214- It is narrated on the authority of Anas Ibn Malik that he said: The Messenger of Allah "Allah's blessing and peace be upon him" intended to send letters to the non-Arabs, and it was said to him: “They do not read a letter unless it is sealed.” On that he had a signet ring made of silver, on which it was engraved: “Muhammad, Allah’s Messenger.”

4215- The same story is narrated on the authority of Anas, with the following addition: It remained in his hand until he died, then in the hand of Abu Bakr until he died, then in the hand of Umar until he died, then it moved to the hand of Uthman, and while he was in front of a well, it fall down from him, and he ordered that the will be emptied of water, but they failed to find the ring.

4216- It is narrated on the authority of Anas Ibn Malik that he said: The ring of the Messenger of Allah "Allah's blessing and peace be upon him" was of silver, with an Abyssinian stone.

4217- It is narrated on the authority of Anas Ibn Malik that he said: The ring of the Messenger of Allah "Allah's blessing and peace be upon him" was of silver, with a built-in stone.

4218- It is narrated on the authority of Ibn Umar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" wore a gold ring placing its stone towards the palm of his hand, on which he engraved: “Muhammad, Allah’s Messenger”. The people also started wearing such gold rings. When he saw them wearing such rings, he threw it away and said: “I would never wear it again.” Then he wore a silver ring, and the people wore also the silver rings. After him, Abu Bakr wore this ring, then Umar, and then Uthman, until it fell down into Aris well.

Abu Dawud says: It was not before the ring fell down from Uthman’s hand that the people started to differ about him.

4219- The same story is narrated on the authority of Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him", in which he said: The following phrase was engraved on it: “Muhammad, Allah’s Messenger.” The Messenger of Allah "Allah's blessing and peace be upon him" said: “Let none engrave like the engraving of this ring of mine.”

4220- The same story is narrated on the authority of Ibn Umar from the Messenger of Allah "Allah's blessing and peace be upon him", with the

[28 /33] ـ كتاب الخَاتَم

[ت1/م1] ـ بابُ ما جاء في اتِّخَاذِ الخَاتَم

4214 ـ حدّثنا عَبْدُ الرَّحِيم بنُ مُطَرِّفٍ الرَّوَاسِيُّ: حدَّثنا عِيسَى، عن سَعِيدٍ، عن قَتَادَةَ، عنْ أنَسِ بنِ مَالِكٍ قَالَ: «أرَادَ رَسُولُ اللَّهِ ﷺ أنْ يَكْتُبَ إلَى بَعْضِ الأعَاجِمِ، فَقِيلَ لَهُ: إنَّهُمْ لاَ يَقْرَؤُونَ كِتَابًا إلاَّ بِخَاتَمٍ، فَاتَّخَذَ خَاتَمًا مِنْ فِضَّةٍ، وَنَقَشَ فِيهِ: مُحَمَّدٌ رَسُولُ اللَّهِ».

4215 ـ حدّثنا وَهْبُ بنُ بَقِيَّةَ، عن خَالِدٍ، عن سَعِيدٍ، عن قَتَادَةَ، عن أنَسٍ بِمَعْنَى حَدِيثِ عِيسَى بنِ يُونُسَ. زَادَ: «فَكَانَ فِي يَدِهِ حَتَّى قُبِضَ، وَفِي يَدِ أبِي بَكْرٍ حَتَّى قُبِضَ، وَفِي يَدِ عُمَرَ حَتَّى قُبِضَ، وَفِي يَدِ عُثْمَانَ. فَبَيْنَمَا هُوَ عِنْدَ بِئْرٍ إذْ سَقَطَ فِي الْبِئْرِ، فَأمَرَ بِهَا فَنُزِحَتْ، فَلَمْ يُقْدَرْ عَلَيْهِ».

4216 ـ حدّثنا قُتَيْبَةُ بنُ سَعِيدٍ وَأحْمَدُ بنُ صَالِحٍ قالاَ: حدَّثنا ابنُ وَهْبٍ قَالَ: أخبرني يُونُسُ بنُ يَزِيدَ، عن ابنِ شِهَابٍ قَالَ: حَدَّثني أنَسٌ قَالَ: «كَانَ خَاتَمُ النَّبِيِّ ﷺ مِنْ وَرِقٍ فَصُّهُ حَبَشِيٌّ».

4217 ـ حدّثنا أحْمَدُ بنُ يُونُسَ: حدَّثنا زُهَيْرٌ: حدَّثنا حُمَيْدٌ الطَّوِيلُ، عن أنَسِ بنِ مَالِكٍ قالَ: «كَانَ خَاتَمُ النَّبِيِّ ﷺ مِنْ فِضَّةٍ كُلُّهُ فَصُّهُ مِنْهُ».

4218 ـ حدّثنا نُصَيْرُ بنُ الْفَرَجِ: حدَّثنا أبُو أُسَامَةَ، عن عُبَيْدِ اللَّهِ، عن نَافِعٍ، عن ابنِ عُمَرَ قَالَ: «اتَّخَذَ رَسُولُ اللَّهِ ﷺ خَاتَمًا مِنْ ذَهَبٍ، وَجَعَلَ فَصَّهُ مِمَّا يَلِي بَطْنَ كَفِّهِ، وَنَقَشَ فِيهِ مُحَمَّدٌ رَسُولُ اللَّهِ. فَاتَّخَذَ النَّاسُ خَوَاتِيمَ الذَّهَبِ. فَلَمَّا رَآهُمْ قَدِ اتَّخَذُوهَا، رَمَى بِهِ وَقَالَ: **«لاَ ألْبَسُهُ أبَدًا»**. ثُمَّ اتَّخَذَ خَاتَمًا مِنْ فِضَّةٍ نَقَشَ فِيهِ مُحَمَّدٌ رَسُولُ اللَّهِ، ثُمَّ لَبِسَ الْخَاتَمَ بَعْدَهُ أبُو بَكْرٍ، ثُمَّ لَبِسَهُ بَعْدَ أبِي بَكْرٍ عُمَرُ، ثُمَّ لَبِسَهُ عُثْمَانُ، حَتَّى وَقَعَ فِي بِئْرِ أرِيسَ».

قال أبُو دَاوُدَ: وَلَمْ يَخْتَلِفِ النَّاسُ عَلَى عُثْمَانَ، حَتَّى سَقَطَ الْخَاتَمُ مِنْ يَدِهِ.

4219 ـ حدّثنا عُثْمَانُ بنُ أبِي شَيْبَةَ: حدَّثنا سُفْيَانُ بنُ عُيَيْنَةَ، عن أيُّوبَ بنِ مُوسَى، عنْ نَافِعٍ، عن ابنِ عُمَرَ فِي هَذَا الْخَبَرِ، عن النَّبِيِّ ﷺ: فَنَقَشَ فِيهِ: مُحَمَّدٌ رَسُولُ اللَّهِ، وَقَالَ: **«لاَ يَنْقُشْ أحَدٌ عَلَى نَقْشِ خَاتَمِي هَذَا»**، ثُمَّ سَاقَ الْحَدِيثَ.

4220 ـ حدّثنا مُحَمَّدُ بنُ يَحْيَى بنِ فَارِسٍ: حدَّثنا أبُو عَاصِمٍ، عن الْمُغِيرَةِ بنِ زِيَادٍ، عن نَافِعٍ، عن ابنِ عُمَرَ بِهَذَا الْخَبَرِ، عن النَّبِيِّ ﷺ قَالَ: «فَالْتَمَسُوهُ، فَلَمْ

following addition: (After the ring had fallen down from Uthman into the well) they did their best in search for it, but they failed to find it. On that Uthman had another ring, on which he engraved: "Muhammad, Allah's Messenger", therewith he sealed (his decrees).

[2] What About Abandoning The Idea Of Wearing A Ring?

4221- It is narrated on the authority of Anas Ibn Malik that he saw a ring made of silver in the hand of the Messenger of Allah "Allah's blessing and peace be upon him" for one day, and then the people made rings and wore them. On that the Messenger of Allah "Allah's blessing and peace be upon him" threw the ring, and the people did the same.

[3] What About The Gold Ring?

4222- It is narrated on the authority of Abdullah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" had aversion towards ten things: the yellowish smelling discharge, changing (the features of) hoariness, hanging down the lower garment (and dragging it on the ground), wearing a gold ring (by men), making a dazzling display of adornment improperly, playing with dice, reciting an incantation unless it is with the help of both Surahs of seeking refuge with Allah, knotting amulets, practicing coitus interruptus unfittingly, and causing damage to the child (by having sexual relation with one's suckling wife for when she becomes pregnant, her milk would be blighted) even though he did not prohibit that."

[4] What About The Iron Ring?

4223- It is narrated on the authority of Abdullah Ibn Buraidah from his father that he said: A man came to the Messenger of Allah "Allah's blessing and peace be upon him", having a ring made of copper in his hand, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Why am I detecting in you the smell of idols?" he threw it, and came back having a ring made of iron in his hand, thereupon the Messenger of Allah "Allah's blessing and peace be upon him" said to him: "Why am I seeing you having the ornament of the denizens of the fire (of Hell)?" he threw it, and said: "O Messenger of Allah! From which thing should I have it?" he said: "Have it of silver, making it less than a weight (of five Dirhams)."

4224- It is narrated on the authority of Al-Mu'aiqib that he said: The ring of the Messenger of Allah "Allah's blessing and peace be upon him" was of iron having silver over it. He said: It happened that it might be in my

يَجِدُوهُ. فَاتَّخَذَ عُثْمَانُ خَاتَمًا، وَنَقَشَ فِيهِ مُحَمَّدٌ رَسُولُ اللَّهِ. قَالَ: فَكَانَ يَخْتِمُ بِهِ، أَوْ يَتَخَتَّمُ بِهِ».

[ت2/م2] ـ بابُ ما جاء في تَرْكِ الخَاتَم

4221 ـ حدّثنا مُحَمَّدُ بنُ سُلَيْمَانَ لُوَيْنٌ، عن إِبْرَاهِيمَ بنِ سَعْدٍ، عن ابنِ شِهَابٍ، عن أنسِ بنِ مَالِكٍ: «أَنَّهُ رَأَى فِي يَدِ النَّبِيِّ ﷺ خَاتَمًا مِنْ وَرِقٍ يَوْمًا وَاحِدًا، فَصَنَعَ النَّاسُ فَلَبِسُوا، وَطَرَحَ النَّبِيُّ ﷺ فَطَرَحَ النَّاسُ».

قال أَبُو دَاوُدَ: رَوَاهُ عن الزُّهْرِيِّ زِيَادُ بنُ سَعْدٍ وَشُعَيْبٌ وَابنُ مُسَافِرٍ، كُلُّهُمْ قالَ: «مِنْ وَرِقٍ».

[ت3/م3] ـ بابُ ما جاء في خاتَم الذَّهَب

4222 ـ حدّثنا مُسَدَّدٌ: حدَّثنا المُعْتَمِرُ قالَ: سَمِعْتُ الرُّكَيْنَ بنَ الرَّبِيعِ يُحَدِّثُ، عن الْقَاسِمِ بنِ حَسَّانَ، عن عَبْدِ الرَّحْمَنِ بنِ حَرْمَلَةَ: أَنَّ ابنَ مَسْعُودٍ كَانَ يَقُولُ: «كَانَ نَبِيُّ اللَّهِ ﷺ يَكْرَهُ عَشْرَ خِلاَلٍ: الصُّفْرَةَ، ـ يَعْنِي الْخَلوقَ ـ وَتَغْيِيرَ الشَّيْبِ، وَجَرَّ الإِزَارِ، وَالتَّخَتُّمَ بالذَّهَبِ، وَالتَّبَرُّجَ بالزِّينَةِ لِغَيْرِ مَحَلِّهَا، وَالضَّرْبَ بالْكِعَابِ، وَالرُّقَى إِلاَّ بالمُعَوِّذَاتِ، وَعَقْدَ التَّمَائِمِ، وَعَزْلَ المَاءِ لِغَيْرِهِ أَوْ غَيرِ مَحَلِّهِ أَوْ عَنْ مَحَلِّهِ، وَفَسَادَ الصَّبِيِّ غَيْرَ مُحرِّمِهِ».

قال أَبُو دَاوُدَ: انفَرَدَ بِإِسْنَادِ هَذَا الْحَدِيثِ أَهْلُ الْبَصْرَةِ، واللَّهُ أَعْلَمُ.

[ت4/م4] ـ بابُ ما جاء في خاتَم الحَدِيدِ

4223 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ وَمُحَمَّدُ بنُ عَبْدِ الْعَزِيزِ بن أَبِي رِزْمَةَ، المَعنى، أَنَّ زَيْدَ بنَ الْحُبَابِ أخبرَهُمْ عن عَبْدِ اللَّهِ بنِ مُسْلِم السُّلَمِيِّ المَرْوَزِيِّ أَبي طَيْبَةَ، عن عَبْدِ اللَّهِ بنِ بُرَيْدَةَ، عن أَبِيهِ: أَنَّ رَجُلاً جَاءَ إِلَى النَّبِيِّ ﷺ وَعَلَيْهِ خَاتَمٌ مِنْ شَبَهٍ، فقالَ لَهُ: «**مَا لِي أَجِدُ مِنْكَ رِيحَ الأَصْنَامِ؟**»، فَطَرَحَهُ ثُمَّ جَاءَ وَعَلَيْهِ خاتَمٌ مِنْ حَدِيدٍ، فقالَ: «**مَا لِي أَرى عَلَيْكَ حِلْيَةَ أَهْلِ النَّارِ؟**»، فَطَرَحَهُ، فَقالَ: يَا رَسُولَ اللَّهِ مِنْ أَيِّ شَيْءٍ أَتَّخِذُهُ؟ قالَ: «**اتَّخِذْهُ مِنْ وَرِقٍ، وَلا تُتِمَّهُ مِثْقَالاً**». وَلَمْ يَقُلْ مُحَمَّدٌ: عَبْدِ اللَّهِ بنِ مُسْلِمٍ، وَلَمْ يَقُل الْحَسَنُ: السُّلَمِيِّ المَرْوَزِيِّ.

4224 ـ حدّثنا ابنُ المُثَنَّى وَزِيَادُ بنُ يَحْيَى وَالْحَسَنُ بنُ عَلِيٍّ قالُوا: حدَّثنا سَهْلُ بنُ حَمَّادٍ أَبُو عَتَّابٍ قالَ: حدَّثنا أَبُو مَكِينٍ نُوحُ بنُ رَبِيعَةَ قالَ: حَدَّثني إِيَاسُ بنُ الحارثِ بنِ المُعَيْقِيبِ وَجَدُّهُ مِنْ قِبَلِ أُمِّهِ أَبو ذُبَابٍ، عن جَدِّهِ قالَ: «كَانَ خَاتَمُ النَّبِيِّ ﷺ مِنْ حَدِيدٍ

hand. Al-Mu'aiqib was in charge of the ring of the Messenger of Allah "Allah's blessing and peace be upon him".

4225- It is narrated on the authority of Ali that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said to me: "Say: "O Allah! Give me guidance, and endow me with success"; and with the help of the guidance, remember the guidance of the way, and with the help of success, remember your success of having the arrow get its target." He further forbade me to place a ring in this or this, i.e. the index or the middle fingers. He forbade me to use Qasiyyah and Maitharah." Abu Burdah said: We asked Ali: "What is the Qasiyyah?" he said: "It is linen clothes containing silk brought from Sham or an Egyptian town. As to Maitharah it is something (like cushions of silk stuffed with cotton and placed under the rider on the saddle) which women used to make for their husbands."

[5] What About Wearing The Ring In The Right Or Left Hand?

4226- It is narrated on the authority of Abu Salamah Ibn Abd Ar-Rahman from Ali from the Messenger of Allah "Allah's blessing and peace be upon him" that he used to wear the ring in his right hand.

4227- It is narrated on the authority of Ibn Umar that the Messenger of Allah "Allah's blessing and peace be upon him" used to wear a ring in his left hand, making its stone towards the inside of his palm.

Abu Dawud says: According to another narration on the authority of Usamah Ibn Zaid from Nafi, he used to wear it in his right hand.

4228- It is narrated on the authority of Nafi' that Ibn Umar used to wear his ring in his left hand.

4229- It is narrated on the authority of Muhammad Ibn Ishaq that he said: I saw As-Salt Ibn Abdullah Ibn Nawfal Ibn Abd Al-Muttalib wearing a ring in the little finger of his right hand, and I asked him about that, thereupon he said: "I saw Ibn Abbas wearing his ring like this, making its stone towards the back (of his hand); and Ibn Abbas was thought to have reported that the Messenger of Allah "Allah's blessing and peace be upon him" used to wear his ring like this.

[6] What About The Bangle Having Cowbells?

4230- It is narrated on the authority of Abdullah Ibn Amir Ibn Az-Zubair that a freed slave-girl belonging to them brought a daughter of Ibn Az-Zubair to Umar Ibn Al-Khattab, having a bangle with cowbells hanging down in her leg, thereupon Umar cut it and said: I heard the Messenger of

مَلْوِيٌّ عَلَيْهِ فِضَّةٌ. قال: فَرُبَّمَا كَانَ في يَدِي. قال: وَكَانَ المُعَيْقِيبُ عَلَى خَاتَمِ النَّبيِّ ﷺ».

4225 ـ حدّثنا مُسَدَّدٌ: حدَّثنا بِشْرُ بنُ المُفَضَّلِ: حدَّثنا عَاصِمُ بنُ كُلَيْبٍ، عن أبي بُرْدَةَ، عن عَلِيٍّ قالَ: «قالَ لِي رَسُولُ اللَّهِ ﷺ: **«قُلِ اللَّهُمَّ اهْدِنِي، وَسَدِّدْنِي، وَاذْكُرْ بالْهِدَايَةِ هِدَايَةَ الطَّرِيقِ، وَاذْكُرْ بالسَّدَادِ تَسْدِيدَكَ السَّهْمَ»**. قالَ: وَنَهَانِي أَنْ أَضَعَ الْخَاتَمَ في هٰذِهِ أَوْ في هٰذِهِ لِلسَّبَّابَةِ وَالْوُسْطَى ـ شَكَّ عَاصِمٌ ـ وَنَهَانِي عن الْقَسِّيَّةِ وَالمِيثَرَةِ».

قالَ أَبُو بُرْدَةَ: فَقُلْنَا لِعَلِيٍّ: مَا الْقَسِّيَّةُ؟ قالَ: ثِيَابٌ كانَتْ تَأْتِينَا مِنَ الشَّام أو مِنْ مِصْرَ، مُضَلَّعَةٌ فِيهَا أَمْثَالُ الأُتْرُجِّ. قالَ: وَالمِيثَرَةُ: شَيْءٌ كَانَتْ تَصْنَعُهُ النِّسَاءُ لِبُعُولَتِهِنَّ.

[ت5/م5] ـ باب ما جاء في التَّخَتُّم في اليمينِ أو اليسارِ

4226 ـ حدّثنا أَحْمَدُ بنُ صَالحٍ: حدَّثنا ابنُ وَهْبٍ: أخبرني سُلَيْمَانُ بنُ بِلاَلٍ، عن شَرِيكِ بنِ أبي نَمِرٍ، عن إبراهِيمَ بنِ عَبْدِ اللَّهِ بنِ حُنَيْنٍ، عن أبِيهِ، عن عَلِيٍّ، عن النَّبيِّ ﷺ. قال شَرِيكٌ: وَأخبرني أَبُو سَلَمَةَ بنُ عَبْدِ الرَّحْمٰنِ: «أَنَّ النَّبيَّ ﷺ كَانَ يَتَخَتَّمُ في يَمِينِهِ».

4227 ـ حدّثنا نَصْرُ بنُ عَلِيٍّ: حدَّثني أَبي: حدَّثنا عَبْدُ الْعَزِيزِ بنُ أبي رَوَّادٍ، عن نَافِعٍ، عن ابنِ عُمَرَ: «أَنَّ النَّبيَّ ﷺ كَانَ يَتَخَتَّمُ في يَسَارِهِ، وكَانَ فَصُّهُ في بَاطِنِ كَفِّهِ».

قال أبُو دَاوُدَ: قالَ ابنُ إسْحَاقَ وأُسَامَةُ ـ يَعني ابنَ زَيْدٍ ـ عن نَافِعٍ بإسْنَادِهِ: «في يَمينِهِ».

4228 ـ حدّثنا هَنَّادٌ، عن عَبْدَةَ، عن عُبَيْدِ اللَّهِ، عن نَافِعٍ: «أَنَّ ابنَ عُمَرَ كَانَ يَلْبَسُ خَاتَمَهُ في يَدِهِ الْيُسْرَى».

4229 ـ حدّثنا عَبْدُ اللَّهِ بنُ سَعِيدٍ: حدَّثنا يُونُسُ بنُ بَكِيرٍ، عن مُحَمَّدِ بنِ إسْحَاقَ قالَ: «رَأَيْتُ عَلَى الصَّلْتِ بنِ عَبْدِ اللَّهِ بنِ نَوْفَلِ بنِ عَبْدِ المُطَّلِبِ خَاتَماً في خِنْصَرِهِ الْيُمْنَى، فَقُلْتُ: مَا هٰذَا؟ قالَ: رَأَيْتُ ابنَ عَبَّاسٍ يَلْبَسُ خَاتَمَهُ هٰكَذَا، وَجَعَلَ فَصَّهُ عَلَى ظَهْرِهَا. قالَ: وَلاَ يَخَالُ ابنَ عَبَّاسٍ إلاَّ قَدْ كَانَ يَذْكُرُ: أَنَّ رَسُولَ اللَّهِ ﷺ كانَ يَلْبَسُ خَاتَمَهُ كَذَلِكَ».

[ت6/م6] ـ بابٌ ما جاء في الجَلاَجِلِ

4230 ـ حدّثنا عَلِيُّ بنُ سَهْلٍ وَإبراهِيمُ بنُ الْحَسَنِ، قالاَ: حدَّثنا حَجَّاجٌ، عن ابنِ جُرَيْجٍ قالَ: أخبرني عُمَرُ بنُ حَفْصٍ: أَنَّ عَامِرَ بنَ عَبْدِ اللَّهِ ـ قالَ عَلِيٌّ: عَامِرَ بنَ عَبْدِ اللهِ بنِ الزُّبَيْرِ ـ أخْبَرَهُ: أَنَّ مَوْلاَةً لَهُمْ ذَهَبَتْ بابْنَةِ الزُّبَيْرِ إلى عُمَرَ بنِ الْخَطَّابِ وَفي رِجْلَيْهَا أَجْرَاسٌ، فَقَطَعَهَا عُمَرُ، ثُمَّ قالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: **«إنَّ مَعَ**

Allah "Allah's blessing and peace be upon him" having said: "With every hanging bell, there is a devil."

4231- It is narrated on the authority of Bananah, the freed slave-girl of Abd Ar-Rahman Ibn Hayyan Al-Ansari that while she was in her house, a woman visited her, having a girl in whose leg there were hanging cowbells, thereupon she said: "Do not let her enter upon me unless you cut (the lace of) her cowbells." She further said: I heard the Messenger of Allah "Allah's blessing and peace be upon him" having said: "The angels never enter a house in which there is a ringing bell."

[7] What About Straightening Teeth With Gold?

4232- It is narrated on the authority of Abd Ar-Rahman Ibn Tarafah that his grandfather Arfajah Ibn As'ad had his nose cut on the day of Kilab (a famous day during the pre-Islamic period of ignorance), thereupon he made a nose of silver, and when it decayed while being on his body, the Messenger of Allah "Allah's blessing and peace be upon him" ordered him to take a nose of gold.

4233,4234- The same is narrated on the authority of Abd Ar-Rahman Ibn Tarafah from his grandfather Arfajah Ibn As'ad, through the same chain of transmission.

[8] What About Gold For Women?

4235- It is narrated on the authority of A'ishah that she said: An ornament was sent as a gift by the Negus to the Messenger of Allah "Allah's blessing and peace be upon him", having a ring of gold with an Abyssinian stone, which the Messenger of Allah "Allah's blessing and peace be upon him" picked up with the help of a stick in his fingers, turning his sight from it, and called Umamah Bint Abu Al-As, the daughter of Zainab, his daughter, to whom he said: "Adorn yourself with that O my daughter!"

4236- It is narrated on the authority of Abu Hurairah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "He, who likes to ring such as dear to him with a ring of fire, let him ring him with a ring of gold; and he, who likes to encircle such as dear to him with a necklace of fire, let him encircle him with a necklace of gold; and he, who likes to brace such as dear to him with a bracelet of fire, let him brace him with a bracelet of gold; but I advise you to utilize silver, of which you might dispose (in whichever way you like as far as women are concerned)."

4237- It is narrated on the authority of Rib'i Ibn Hirash from his wife from a sister of Hudhaifah that the Messenger of Allah "Allah's blessing

كُلِّ جَرَسٍ شَيْطَانًا».

4231 ـ حدّثنا مُحَمَّدُ بنُ عَبْدِ الرَّحِيم: حدَّثنا رَوْحٌ: حدَّثنا ابنُ جُرَيْجٍ، عن بُنَانَةَ مَوْلاَةِ عَبْدِ الرَّحْمٰنِ بنِ حَيَّانَ الأنْصارِيِّ، عن عَائِشَةَ قالَتْ: بَيْنَمَا هِيَ عِنْدَهَا إِذْ دُخِلَ عَلَيْهَا بِجَارِيَةٍ، وَعَلَيْهَا جَلاجِلُ يُصَوِّتْنَ، فَقالَتْ: لا تُدْخِلْنَهَا عَلَيَّ إلاَّ أنْ تَقْطَعُوا جَلاَجِلَهَا، وقالَتْ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**لا تَدْخُلُ المَلاَئِكَةُ بَيْتًا فِيهِ جَرَسٌ**».

[ت7/م7] ـ بابُ ما جاء في رَبْطِ الأسْنَانِ بالذَّهَبِ

4232 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ وَمُحَمَّدُ بنُ عَبْدِ اللَّهِ الْخُزَاعِيُّ، المَعْنى، قالاَ: حدَّثنا أبو الأشْهَبِ، عن عَبْدِ الرَّحْمٰنِ بنِ طَرَفَةَ: «أنَّ جَدَّهُ عَرْفَجَةَ بنَ أَسْعَدَ قُطِعَ أَنْفُهُ يَوْمَ الْكُلاَبِ، فاتَّخَذَ أَنْفًا مِنْ وَرِقٍ، فأنْتَنَ عَلَيْهِ. فأَمَرَهُ النَّبيُّ ﷺ، فاتَّخَذَ أنْفًا مِنْ ذَهَبٍ».

4233 ـ حدّثنا الْحَسَنُ بنُ عَلِيٍّ: حدَّثنا يَزِيدُ بنُ هَارُونَ وَأَبُو عَاصِمٍ، قالاَ: حدَّثنا أَبُو الأَشْهَبِ، عن عَبْدِ الرَّحْمٰنِ بنِ طَرَفَةَ، عن عَرْفَجَةَ بنِ أَسْعَدَ بمَعْنَاهُ. قَالَ يَزِيدُ: قُلْتُ لأَبِي الأَشْهَبِ: أَدْرَكَ عَبْدُ الرَّحْمٰنِ بنُ طَرَفَةَ جَدَّهُ عَرْفَجَةَ؟ قَالَ: نَعَمْ.

4234 ـ حدّثنا مُؤَمَّلُ بنُ هِشَامٍ: حدَّثنا إِسْمَاعِيلُ، عنْ أَبِي الأَشْهَبِ، عنْ عَبْدِ الرَّحْمٰنِ، عن عَرْفَجَةَ بنِ أَسْعَدَ، عنْ أَبِيهِ: أَنَّ عَرْفَجَةَ، بمَعْنَاهُ.

قَالَ الخَطِيبُ: كَذَا عِنْدَ القَاضِي، وَالصَّوابُ: ابنُ طَرَفَة بن عَرْفَجَةَ.

[ت8/م8] ـ بابُ ما جاء في الذَّهبِ للنِّساءِ

4235 ـ حدّثنا ابنُ نُفَيْلٍ: حدَّثنا مُحَمَّدُ بنُ سَلَمَةَ، عن مُحَمَّدِ بنِ إِسْحَاقَ: حدَّثني يَحْيَى بنُ عَبَّادٍ، عن أَبِيهِ عَبَّادِ بنِ عَبْدِ اللَّهِ، عن عَائِشَةَ قالَتْ: قَدِمَتْ عَلَى النَّبيِّ ﷺ حِلْيَةٌ مِنْ عِنْدِ النَّجَاشِيِّ أَهْدَاهَا لَهُ، فِيهَا خَاتَمٌ مِنْ ذَهَبٍ فِيهِ فَصٌّ حَبَشِيٌّ. قالَتْ: فَأَخَذَهُ رَسُولُ اللَّهِ ﷺ بِعُودٍ مُعْرِضًا عَنْهُ أَوْ بِبَعْضِ أَصَابِعِهِ، ثُمَّ دَعَا أُمَامَةَ بِنْتَ أَبِي الْعَاصِ: ابْنَةَ ابْنَتِهِ زَيْنَبَ، فقالَ: «**تَحَلَّيْ بِهَذَا يَا بُنَيَّةُ**».

4236 ـ حدّثنا عَبْدُ اللَّهِ بنُ مَسْلَمَةَ: حدَّثنا عَبْدُ الْعَزِيزِ ـ يَعْنِي ابنَ مُحَمَّدٍ ـ، عن أَسِيدِ بنِ أَبِي أَسِيدِ الْبَرَّاد، عن نَافِعِ بنِ عَيَّاشٍ، عن أَبِي هُرَيْرَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ قالَ: «**مَنْ أَحَبَّ أَنْ يُحَلِّقَ حَبِيبَهُ حَلَقَةً مِنْ نَارٍ، فَلْيُحَلِّقْهُ حَلَقَةً مِنْ ذَهَبٍ. وَمَنْ أَحَبَّ أَنْ يُطَوِّقَ حَبِيبَهُ طَوْقاً مِنْ نَارٍ، فَلْيُطَوِّقْهُ طَوْقًا مِنْ ذَهَبٍ. وَمَنْ أَحَبَّ أَنْ يُسَوِّرَ حَبِيبَهُ سِوَاراً مِنْ نَارٍ، فَلْيُسَوِّرْهُ سِوَارًا مِنْ ذَهَبٍ. وَلَكِنْ عَلَيْكُمْ بالْفِضَّةِ، فَالْعَبُوا بِهَا**».

4237 ـ حدّثنا مُسَدَّدٌ: حدَّثنا أَبُو عَوَانَةَ، عن مَنْصُورٍ، عن رِبْعِيِّ بنِ حِرَاشٍ، عن امْرَأَتِهِ، عن أُخْتٍ لِحُذَيْفَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ قال: «**يَا مَعْشَرَ النِّسَاءِ، أَمَا لَكُنَّ**

and peace be upon him" said: “O assembly of women! Is it not silver sufficient for your adornment? Behold! No woman of you adorns herself with gold which she displays, but that she will be punished (for it).”

4238- It is narrated on the authority of Asma’ Bint Yazid that the Messenger of Allah "Allah's blessing and peace be upon him" said: “No woman has a collar of gold but that she will be made to have a collar of fire like it on the Day of Judgement; and no woman has an earring of gold in her ear but that she will be made to wear an earring of fire in her ear on the Day of Judgement.”

4239- It is narrated on the authority of Mu’awiyah Ibn Abu Sufyan that the Messenger of Allah "Allah's blessing and peace be upon him" forbade riding (on saddles made of) the skin of tigers, as well as he forbade wearing gold unless it is of fragmented pieces (i.e. unless it does not exceed the minimum limit upon which the obligatory charity becomes due).

في الْفِضَّةِ مَا تَحَلَّيْنَ بِهِ؟ أَمَا إِنَّهُ لَيْسَ مِنْكُنَّ امْرَأَةٌ تَحَلَّى ذَهَبًا تُظْهِرُهُ إِلاَّ عُذِّبَتْ بِهِ».

4238 ـ حدّثنا مُوسَى بنُ إِسْمَاعِيلَ: حدَّثنا أَبَانُ بنُ يَزِيدَ الْعَطَّارُ: حدَّثنا يَحْيَى: أَنَّ مَحْمُودَ بنَ عَمْرٍو الأَنْصَارِيَّ حَدَّثَهُ: أَنَّ أَسْمَاءَ بِنْتَ يَزِيدَ حَدَّثَتْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ قال: «**أَيُّمَا امْرَأَةٍ تَقَلَّدَتْ قِلاَدَةً مِنْ ذَهَبٍ، قُلِّدَتْ في عُنُقِهَا مِثْلَهُ مِنَ النَّارِ يَوْمَ الْقِيَامَةِ. وَأَيُّمَا امْرَأَةٍ جَعَلَتْ في أُذُنِهَا خُرْصًا مِنْ ذَهَبٍ، جُعِلَ في أُذُنِهَا مِثْلُهُ مِنَ النَّارِ يَوْمَ الْقِيَامَةِ**».

4239 ـ حدّثنا حُمَيْدُ بنُ مَسْعَدَةَ: حدَّثنا إِسْمَاعِيلُ: حدَّثنا خَالِدٌ، عن مَيْمُونٍ الْقَنَّادِ، عن أَبي قِلاَبَةَ، عن مُعَاوِيَةَ بنِ أَبي سُفْيَانَ: «أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عن رُكُوبِ النِّمَارِ، وَعنْ لُبْسِ الذَّهَبِ إِلاَّ مُقَطَّعًا».

قال أَبُو دَاوُدَ: أَبُو قِلاَبَةَ لَمْ يَلْقَ مُعَاوِيَةَ.

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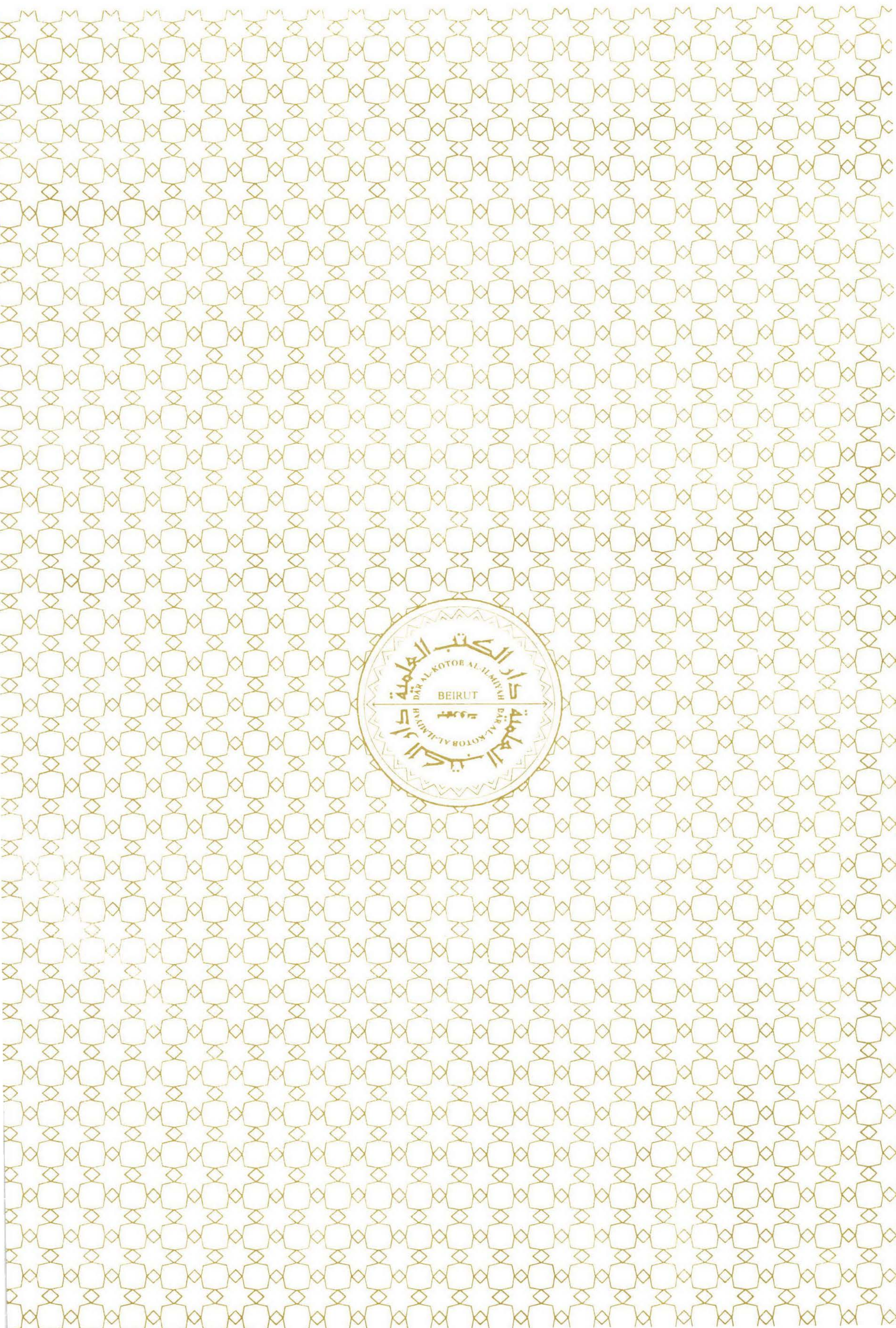
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